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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Tajikistan

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I. Methodology

1. This national report was prepared in the context of the second cycle of the universal periodic review by a working group comprising representatives of the Executive Office of the President, the Ministry of Justice, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Culture, the Ministry of Education and Science, the Ministry of Labour, Migration and Employment, the Ministry of Finance, the Ministry of Economic Development and Trade, the Ministry of Health and Social Protection, the Office of the Procurator-General, the State Committee on National Security, the Committee for Women and the Family, the Committee for Religious Affairs and Regulation of National Traditions, Celebrations and Rituals, and the Statistics Agency.

2. The report is based on the outcome of the National Plan for 2013-2015 to implement the recommendations made by Human Rights Council member States in connection with the country's universal periodic human rights review, which was approved pursuant to a presidential decision of 3 April 2013. A summary of the progress made in implementing the recommendations from the first cycle was prepared semi-annually and circulated to government agencies and civil society.

3. The preparation of the report involved broad public discussion. Six rounds of national consultations were held in April and May 2015, with financial support from the Office of the United Nations High Commissioner for Human Rights (OHCHR) Central Asia Regional Office and the Swiss Cooperation Office in Tajikistan, and, in November 2015, the draft national report was presented to representatives of the Government, the judiciary, law enforcement agencies, the Commissioner for Human Rights (Ombudsman), academics and civil society organizations.

4. The working group wishes to thank the civil society organizations for their cooperation in preparing the present report.

II. General overview, and reform of institutional mechanisms for the protection of human rights

Recommendations Nos. 88.3, 88.4, 88.5, 88.6 and 88.7

5. The Government Commission on Compliance with International Human Rights Obligations was established pursuant to a government decision of 4 March 2002. With a view to the implementation of the recommendations made by the Human Rights Council, a draft government decision on the expansion of the Commission's mandate was prepared and is under consideration. Pursuant to the decision, the mandate would provide for: channels of communication for soliciting information from government bodies; authority to examine the Views of the Human Rights Committee on individual communications and the work of expert groups preparing national reports; enhanced responsibility for developing national plans to implement the recommendations made by the United Nations treaty bodies, as well as procedures for monitoring such plans; and mechanisms for involving civil society in consultation processes and in the work of the Commission.

6. On 15 July 2015, the office on human rights safeguards was transformed into a department, and an office on the rights of the child was established within the Executive Office of the President. The new department's human resources were increased commensurate with this change. The department acts as the secretariat to the Government Commission on Compliance with International Human Rights Obligations.

7. With a view to the establishment of a children's ombudsman office, the Government approved a bill to amend the Commissioner for Human Rights Act, which has been adopted by the country's parliament.

8. On 28 March 2012, the Sub-Committee on Accreditation of the International Coordinating Committee of National Human Rights Institutions accredited the Commissioner for Human Rights with "B" status. A working group has been set up under the Commissioner to implement the Sub-Committee's recommendations.

9. The Commissioner's activities are constantly being expanded. To support the Commissioner's work and the implementation of his mandate, an office comprising 21 civil servants and 15 support staff has been set up. Since 2012, local offices and public advice bureaux have been established in 11 regions, employing 18 staff.

10. To ensure that relevant national legislation is in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), the Government approved a bill to amend the Commissioner for Human Rights Act, which has been adopted by the parliament. The amendments concern the expansion of the Commissioner's mandate and coordinating role.

III. Cooperation with United Nations human rights mechanisms and civil society

Recommendations 88.1, 88.2 and 88.3

11. Over the reporting period, Tajikistan received visits from: the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Mr. Anand Grover (2012); the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan Méndez (2012 and 2014); the Special Rapporteur on disability, Mr. Shuaib Chalklen (2014); and the Special Rapporteur on the human right to safe drinking water and sanitation, Mr. Léo Heller (2015).

12. Between 2010 and 2015, Tajikistan submitted (presented) periodic reports to, and received recommendations from, the following committees: the Committee on the Rights of the Child (2010 and 2015); the Committee on the Elimination of Discrimination against Women (2013); the Committee against Torture (2012); the Committee on the Elimination of Racial Discrimination (2012); the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (2012); the Human Rights Committee (under the International Covenant on Civil and Political Rights) (2013); and the Committee on Economic, Social and Cultural Rights (under the eponymous Covenant) (2015).

13. The Government gives serious attention to the recommendations of United Nations bodies. The following processes have been established for their implementation: (1) involvement of interdepartmental working groups and civil society representatives in the preparation of national plans; (2) preparation of national action plans; (3) systematic monitoring (semi-annually) of the progress made in implementing national action plans; and (4) drafting of semi-annual reports summarizing the information received in this regard from government agencies, which are translated into Russian and English and widely disseminated among those agencies and civil society, and also to the public through the media.

14. The following national action plans were developed in broad consultation with civil society institutions:

(a) The National Plan for 2013-2015 to implement the recommendations made by Human Rights Council member States in connection with the country's universal periodic human rights review (approved by presidential decision on 3 April 2013);

(b) The National Action Plan for 2013-2017 to implement the recommendations of the Committee on Migrant Workers (of 22 June 2013);

(c) The plan of action to prevent the use of torture, based on the recommendations of the Committee against Torture and the Special Rapporteur on torture, Mr. Juan Méndez (of 15 August 2013);

(d) The plan of action in respect of the concluding observations of the Committee on the Elimination of Racial Discrimination concerning the combined sixth to eighth periodic reports of Tajikistan, adopted by the Committee at its eighty-first session, held from 6 to 31 August 2012 (of 14 November 2013);

(e) The National Plan for 2014-2016 to implement the recommendations of the Human Rights Committee on the second periodic report of Tajikistan on the implementation of the International Covenant on Civil and Political Rights (of 23 July 2014);

(f) The National Action Plan to implement the recommendations of the Committee on the Elimination of Discrimination against Women concerning the combined fourth and fifth periodic reports of Tajikistan (of 23 July 2014);

(g) The National Action Plan to implement Security Council resolutions 1325 (2000) and 2122 (2013) (of 23 July 2014);

(h) The National Action Plan for 2015-2020 to implement the recommendations of the Committee on Economic, Social and Cultural Rights (of 22 October 2015).

15. Representatives of civil society are involved in the process of preparing national reports and implementing the recommendations made under the universal periodic review procedure and by the United Nations treaty bodies. Prior to their submission, the reports are the subject of broad discussion with civil society. The views of civil society are taken into account when national action plans to implement the treaty bodies' recommendations are drawn up.

IV. Normative framework for the promotion and protection of human rights, and ratification of the main human rights instruments

Recommendations 90.1, 90.2, 90.3, 90.4, 90.5, 90.6, 90.7, 90.8, 90.9, 90.10, 90.11, 90.12, 90.13, 90.14, 90.15, 90.16 and 90.17

16. National legislation on the protection of human rights is based on the main international instruments in that area. In the period from 1993 to January 2015, Tajikistan, as an international organization member, ratified more than 50 conventions and adopted various recommendations for incorporation in national legislation. It has accepted the main United Nations human rights texts. In 2014-2015, it ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention and Punishment of the Crime of Genocide.

17. Currently, ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the

International Covenant on Economic, Social and Cultural Rights, the Second Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is under consideration. Interdepartmental working groups have been set up to study the legal, socioeconomic and financial implications for Tajikistan of becoming a party to these international instruments.

V. Institutional aspects with respect to the promotion and protection of human rights

A. Right to life and abolition of the death penalty

Recommendations 90.19, 90.20, 90.21, 90.22, 90.23, 90.24, 90.25, 90.26 and 90.27

18. Pursuant to the Suspension of the Death Penalty Act of 15 July 2004, a moratorium on capital punishment is in place.

19. Measures are being taken with a view to the abolition of the death penalty. An interdepartmental working group is considering various options and procedures with respect to abolition, as well as conducting appropriate public information and education campaigns. Conferences have been organized and held on a regular basis, along with more than 60 awareness-raising meetings for members of the public in the Republic's towns and districts. In addition, the working group has analysed the crime situation before and after the introduction of the moratorium on the death penalty. At present, two options for the abolition of the death penalty are being considered: complete abolition by means of a constitutional amendment, and abolition without such an amendment, retaining the possibility of applying capital punishment in time of war.

B. Freedom from torture

Recommendations 88.23, 88.24, 88.25, 88.26, 88.27, 88.28, 88.48, 89.1, 90.34, 90.35 and 90.36

20. In order to implement the recommendations made under the universal periodic review procedure and by the Committee against Torture and the Special Rapporteur on torture, a plan of action to prevent the use of torture, based on the recommendations of the Committee and the Special Rapporteur, was developed and approved (2013).

21. In 2012, article 143-1 (torture) was incorporated into the Criminal Code. The definition of torture in the article corresponds to that contained in the Convention against Torture. Since 2012, four criminal cases have been brought under the article, and four officials have been convicted. In June 2012, the plenum of the Supreme Court adopted a decision on the application of provisions of criminal law and criminal procedure law to prevent the use of torture.

22. In 2013, the Office of the Procurator-General developed and issued a theoretical and practical manual for procurators entitled "Principles of law and organization of the work of the procuratorial authorities with respect to the prevention, detection and investigation of torture". On 24 October 2012, an Instruction on detention was approved pursuant to a joint order of the Procurator-General and the heads of the other law enforcement agencies. The Instruction provides for detainees' rights to be explained to them at the location of their actual arrest; for them to have prompt access to counsel; for detailed information about the arrest (including the surname and position of all the persons involved) to be recorded, and

for counsel and detainees themselves to have access to the record; for detainees to undergo a medical examination; and for the relatives of detainees to be notified of their arrest and of any transfer to another place of detention.

23. With a view to the introduction of a special system for recording reports and complaints about the use of torture, the Procurator-General, on 31 January 2014, adopted a directive on additional measures to strengthen procuratorial oversight in the field of human rights and ensure the impartial and thorough examination of communications from citizens, in particular in the course of initial inquiries and investigations into criminal offences.

24. A bill to amend the Criminal Code so that it provides for harsher penalties for the use of torture has been prepared and submitted to ministries and departments for coordination.

25. A bill to amend the Code of Criminal Procedure is currently at the coordination stage, along with a bill on the procedures and conditions for the custody of suspects, accused persons and defendants. These bills define the moment of actual arrest and provide for the right to have access to defence counsel from that moment and the right to hold meetings with counsel unhindered, including prior to questioning. Evidence obtained through the use of torture, cruel treatment, violence, threats, deception or other unlawful acts is declared inadmissible. Information indicating that torture or cruel treatment has been used against suspects, accused persons or defendants is verified and evaluated to determine whether their statements can be admitted as evidence, irrespective of whether a report has been filed by the individual concerned or a petition lodged by his or her counsel. Evidence declared inadmissible is considered invalid and may not be used as the basis for a charge. When a person is detained on suspicion of having committed an offence, an officer of the criminal prosecution agency or other competent person at the location of the actual arrest must notify the person orally of the offence he or she is suspected of having committed; explain that the person has the right to make a telephone call or send a message to a lawyer or close relative and to have the assistance of defence counsel; and inform the person that he or she has the right to remain silent and that any statement he or she does make may be used in evidence against him or her in criminal proceedings. After being admitted to a temporary holding facility, the suspect undergoes an examination by a medical officer to ascertain his or her general state of health and check for the presence of any bodily injuries. The detainee or his or her defence counsel has the right to request that the medical examination be conducted by an independent doctor or forensic expert. The findings of the medical examination are attached to the record of arrest.

26. A working group has been established to study experience and develop a plan of action for the creation of an independent forensic science institute and to look into the possibility of preparing and adopting a law on independent forensic investigations.

27. Training seminars are being conducted to study the feasibility of establishing an independent mechanism for the investigation of torture under the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). Pursuant to the Istanbul Protocol, procedural documents have been prepared for use when cases of torture are identified. The text of the Protocol has been translated into Tajik and distributed to law enforcement and forensic science agencies.

28. In December 2012, on the initiative of the Ministry of Health and Social Protection, a working group was set up, comprising representatives of NGOs, to promote the application of the provisions of the Istanbul Protocol by forensic experts when compiling internal documents. In November 2014, the Ministry approved three documents: a forensic examination form; an expert findings form; and a detainee medical examination report form. Draft guidance on the conduct of comprehensive forensic investigations in torture

cases and on the procedural and organizational framework for forensic investigations is being devised. On 2 June 2015, the Ministry adopted an order on the conduct of investigations by forensic commissions in cases of violent death in places of deprivation of liberty and other complex cases.

29. In November 2014, amendments were made to the Code of Criminal Procedure requiring extradition to be refused where there is information that the person whose extradition is sought may be subjected to torture in the requesting State.

30. The Executive Office of the President, together with the Office of the Procurator-General and the Commissioner for Human Rights, and with the direct participation of OHCHR representatives in Tajikistan, have conducted more than 100 seminars and training sessions on torture prevention in the regions in order to enhance the professional skills of law enforcement officers. Training seminars on international standards with respect to combating torture are held regularly in prisons, with the involvement of NGOs.

31. A training programme for judges on the theme of torture has been devised and is now being offered. The programme covers, inter alia, the decision of the plenum of the Supreme Court on the application of provisions of criminal law and criminal procedure law to prevent the use of torture, the Domestic Violence Prevention Act and the Convention against Torture. A theoretical and practical manual entitled "Principles of law and organization of the work of the procuratorial authorities with respect to the prevention, detection and investigation of torture" has been developed. The manual contains commentaries on the national and international torture prevention mechanisms and on effective means and methods of identifying and investigating torture.

32. A State programme for 2013-2016 to ensure the safety of parties to criminal proceedings was approved pursuant to a government decision of 2 November 2012 with a view to the development of effective mechanisms for the application of the Act on State Protection of Parties to Criminal Proceedings. The programme provides for a mechanism to comprehensively regulate such protection.

33. The issue of reparation for moral and material harm suffered by victims of torture is addressed in detail in the Civil Code, including in articles 15 and 171, and in chapter 47 of the Code of Criminal Procedure. Furthermore, the decision on the application of provisions of criminal law and criminal procedure law to prevent the use of torture, adopted by the plenum of the Supreme Court on 25 June 2012, explains to judges the penalties imposable for such material and moral harm and the procedure for lodging complaints of torture. In 2014-2015, the courts awarded compensation for moral harm in four cases involving the use of torture and other cruel treatment.

34. The possibility of ratifying the Optional Protocol to the Convention against Torture is being studied. There is a need for further analysis of that issue and of the question of establishing an independent preventive mechanism, taking into account the experience of States that have become parties to the instrument.

35. For the purpose of preventing torture and ensuring an effective system of regular preventive visits to places of deprivation or restriction of liberty, a monitoring team has been established under the Commissioner for Human Rights comprising representatives of the Commissioner and members of the NGO Coalition against Torture in Tajikistan. In 2014-2015, the team conducted monitoring at 19 places of deprivation or restriction of liberty and 5 military units and enlistment centres.

C. Justice

Recommendations 88.44, 88.45, 90.29, 90.30, 90.32, 90.37

36. In 2015, the Judicial Reform Programme for 2015-2017, which covers the third phase of this reform, was approved by presidential decree.

37. An interdepartmental working group has been set up to analyse the relevant legislation and look into the development of a plan of action to expand the membership and mandate of the Council of Justice, with a view to making it more independent and strengthening its role in the judicial system; that would be achieved, inter alia, by moving the Council from within the executive branch of government to the judicial branch. The working group is also reviewing the procedures and criteria for selecting applicants for posts of judge. The Constitutional Act on the Courts of 26 July 2014 sets out in detail the safeguards with respect to the protection of judges during their term of office; these safeguards, which are in line with relevant international legal instruments, include guarantees of the independence and security of judges; liability for contempt of court, disrespect for judges and infringements of judicial inviolability; and a prohibition on interference in the activities of judges.

38. On 18 November 2013, the plenum of the Supreme Court adopted a decision on the application by the courts of the international legal instruments recognized by Tajikistan, which stipulates the procedures whereby courts should apply such instruments in judicial proceedings. In 2015, the Council of Justice Judicial Training Centre conducted educational programmes devoted to the international conventions and the feasibility of the practical application in judicial proceedings of the international standards recognized by Tajikistan.

39. Bills prepared to amend existing legislation define the moment of actual arrest; stipulate that the time and place of arrest, the grounds for the arrest and the surname of the officials involved must be entered in the detainee register, and that the detainee must be informed promptly of his or her right to the assistance of a lawyer and to a medical examination; and provide for the reduction of the 12-hour period within which the relatives of a detained person must be notified of his or her whereabouts and of any transfer to another place of detention.

40. A Code of Administrative Procedure has been adopted, and amendments have been made to the Code of Administrative Offences stipulating the procedure for challenging administrative detention.

41. To ensure justice for juveniles, provide comprehensive safeguards with respect to their rights and interests, ensure their comfort during initial inquiries and investigations and when administrative and criminal cases are heard in court, appoint serving judges to specialize in juvenile cases and refine relevant legislation, the National Action Plan for Juvenile Justice Reform was carried out between 2010 and 2015, and the Judicial Reform Programme for 2015-2017 is currently being implemented. The membership of a working group to draft a national action plan on juvenile justice for 2017-2021 has been confirmed and includes representatives of ministries and departments, the Commissioner for Human Rights and civil society.

D. Strengthening the capacity of prisons

Recommendations 88.46, 88.47, 88.49, 90.31, 90.33 and 90.34

42. Pursuant to the country's obligations in the field of human rights, a great deal of work has been done to bring places of deprivation of liberty into line with international standards. Amendments have been made to the Penalties Enforcement Code concerning

monitoring of places of deprivation of liberty by the Commissioner for Human Rights. The Commissioner and his representatives conduct visits to inspect the activities of those facilities and the conditions in which convicted persons are held and also to investigate statements and complaints filed by inmates.

43. The penal correction authorities have signed agreements with more than 12 international organizations and NGOs. Efforts to improve living conditions, cultural facilities, sanitation, hygiene and medical services are continuing. The following organizations work in cooperation with the authorities and have access to places of deprivation of liberty: the Global Fund to Fight AIDS, Tuberculosis and Malaria; the AIDS Foundation East-West; the Tajikistan office of the Fondation Caritas Luxembourg; the United Nations Children's Fund (UNICEF); the United States Agency for International Development (USAID) Central Asia regional office; DVV International in Tajikistan; and Vita, Sino, Hayoti nav, Dina and other NGOs.

44. In order to improve the procedures for the enforcement of penalties and the conditions of custody for detainees, a draft policy for the reform of the penal correction system for the period up to 2025 has been prepared. The draft policy provides, inter alia, for the construction of temporary holding facilities and new correctional institutions; the furnishing of penal institutions with equipment and technology that meet modern needs; the harmonization of relevant legislation with the international instruments recognized by Tajikistan; the enhancement of conditions for the provision of psychological services to convicts; the development of production and greater involvement of convicts in punitive work; improvements to cells; and the use of alternative penalties.

45. Funding for penal institutions in 2015 was almost double that in 2010. The Government adopted a programme for the organization of labour and the development of industrial production in correctional institutions for 2015-2020, aimed at creating jobs for convicts and boosting production in such institutions. This programme is being financed from the State budget and through loans and grants.

46. In 2014-2015, in order to upgrade the professional skills of prison system staff, courses were held covering international standards and national mechanisms in relation to convicted persons. The Further Training Institute of the Ministry of Justice ran three extended courses for 30 officers from penal institutions. In addition, in cooperation with the AIDS Foundation East-West, awareness-raising seminars were conducted — eight in 2014 and five in 2015 — for prison system staff. In 2015, training sessions were held to instruct health workers in the cities of Dushanbe, Kurgan-Tyube and Khujand on the thorough medical documentation of evidence of the use of torture. Training exercises were carried out at eight prisons, involving all the staff of those institutions. The participants received instruction on international legal standards including the Convention against Torture, the International Covenant on Civil and Political Rights, the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) and the Istanbul rules.

47. The main standards contained in the Bangkok Rules are incorporated in the Penalties Enforcement Code. The action plan for prisons for 2013-2014 provided for training activities for staff at women's correctional institutions to increase their professional competence in dealing with women prisoners; these activities have been phased in. State funding to improve the detention conditions of women prisoners, in line with the Bangkok Rules, is gradually being augmented.

48. To harmonize Tajik legislation with these Rules and with the Standard Minimum Rules for the Treatment of Prisoners, a bill on the amendment of the Penalties Enforcement Code has been prepared and is currently at the coordination stage.

E. Combating trafficking in persons

Recommendations 88.36, 88.37, 88.38, 88.39, 88.40, 88.41 and 88.42

49. In order to intensify the fight against trafficking in persons, a Comprehensive Programme to Combat Trafficking in Persons for 2014-2016 has been approved and the legislative framework in this area is being refined. On 14 June 2014, the Trafficking in Persons and Assistance to Victims Act was adopted. A working group has been established under the Ministry of Internal Affairs, comprising representatives of relevant ministries and departments. to prepare draft regulations on the Centre to Combat Trafficking in Persons. The Comprehensive Programme to Combat Trafficking in Persons for 2011-2013 was approved pursuant to a government decision of 3 March 2011 and has been successfully implemented. At present, a supplementary action plan to strengthen efforts to combat trafficking in persons is being carried out with the aim of eradicating the worst forms of child labour and affording assistance to trafficking victims. In 2012, the Government approved the National Social Development Programme for Youth, in accordance with which funding is being earmarked to prevent and combat trafficking in persons.

50. Between 2013 and 2015, the country's legislative bodies made amendments to the criminal law currently in force in Tajikistan with a view to strengthening the role and expanding the powers of the law enforcement agencies in tackling trafficking in persons, in particular to articles 130.2 (use of slave labour), 241.1 (production and distribution of pornographic materials or items depicting minors) and 241.2 (use of minors to produce pornographic materials or items) of the Criminal Code of 14 March 2014.

51. Between 2010 and the third quarter of 2015, 60 offences under article 130.1 (trafficking in persons) of the Criminal Code and 85 offences under article 167 (trafficking in minors) were recorded; the victims were mainly women and girls. All the offences were investigated, and the perpetrators were prosecuted.

52. Pursuant to the memorandum of understanding between the Government of Tajikistan and the International Organization for Migration (IOM), trafficking victims are referred to crisis centres with a view to their return. The Ministry of Internal Affairs identified 16 trafficking victims and, with the help of the IOM centre for children and support to trafficking victims in Tajikistan, returned 6 of them from the city of Dubai, in the United Arab Emirates. They were transferred to the centre to receive rehabilitative care.

F. Tackling the illicit traffic in narcotic drugs

Recommendation 88.43

53. With a view to the refinement of the legal and regulatory framework on drug control, various bills and draft decisions and decrees have been prepared and coordinated and are now pending approval before the relevant bodies, including a bill on compulsory treatment for alcoholics and drug addicts; a draft strategy of the Collective Security Treaty Organization (CSTO) for the period up to 2025; a draft policy on cooperation among the financial intelligence agencies of the States members of the Commonwealth of Independent States (CIS); a draft agreement between the Government of Tajikistan and the Government of Latvia on cooperation in combating terrorism, organized crime and the illicit traffic in narcotic drugs, psychotropic substances and their precursors, and other offences; a draft

presidential decree to amend Presidential Decree No. 470 of 5 June 2008; a bill to amend the Electronic Communications Act; a bill to amend the Code of Administrative Offences; and a draft presidential decree to amend Presidential Decree No. 156 of 30 January 2007. In addition, a redrafted bill on narcotic drugs, psychotropic substances and their precursors has been prepared and is at the coordination stage, along with a bill on the Drug Control Agency reporting to the President.

54. In order to develop and strengthen regional cooperation in combating the illicit traffic in narcotic drugs, the Agreement between the Drug Control Agency reporting to the President of Tajikistan and the Federal Drug Control Service of the Russian Federation was signed on 18 April 2015; the Agreement covers efforts to combat the illicit traffic in narcotic drugs, psychotropic substances and their precursors.

55. For the purpose of expanding cooperation with neighbouring States and thus intensifying the fight against the illicit traffic in narcotic drugs, a regular meeting — the sixteenth — of the coordinating council of heads of bodies of CSTO member States responsible for combating the illicit traffic in narcotic drugs was held in Dushanbe on 26 May 2015, with the participation of the head of the anti-drug department of Afghanistan and the United Nations Office on Drugs and Crime (UNODC).

56. A high-level international conference on regional anti-drug cooperation took place on 27 May 2015. At the conference, a joint declaration on strengthening international cooperation in combating the illicit traffic in narcotic drugs and developing consolidated proposals in that regard was adopted for discussion at the special session of the General Assembly on the world drug problem, to be held in 2016.

57. To upgrade the skills of law enforcement officers in combating the illicit traffic in narcotic drugs, a number of training sessions and courses have been conducted. Law enforcement officers have taken an active part in training sessions organized by international organizations (UNODC and the Organization for Security and Cooperation in Europe (OSCE)) and by the training institutes of national and foreign law enforcement agencies on such topics as inspecting containers for narcotic drugs, combating organized criminal drug gangs and smugglers, and guaranteeing border security.

G. The rights of women, gender equality and domestic violence prevention

Recommendations 88.10, 88.13, 88.14, 88.15, 88.16, 88.17, 88.18, 88.19, 88.20, 88.21, 88.22, 88.29, 88.30, 88.31, 88.32, 88.33, 88.34, 88.35 and 88.64

58. A National Action Plan to implement the recommendations of the Committee on the Elimination of Discrimination against Women was adopted on 23 July 2014.

59. On 19 March 2013, the Domestic Violence Prevention Act was passed and, on 3 May 2014, a government decision approving the Domestic Violence Prevention Programme for 2014-2023 was adopted. These texts were published and distributed to the public at large. With the support of the Swiss Cooperation Office in Tajikistan, a set of commentaries on the Domestic Violence Prevention Act was issued.

60. International experience of appointing women to leadership positions is being studied in order to gain familiarity with practice in that area. When selecting and assigning female personnel, ministries, departments and local State agencies mainly apply such criteria as experience and performance. Efforts to appoint women to leadership positions, in implementation of the Presidential Decree of 3 December 1999 on measures to enhance women's role in society, are bearing fruit.

61. According to a statistical analysis of the civil service, in the first quarter of 2015, there were 18,582 civil servants, of whom 4,414 (23.7 per cent) were women, 21 more than

in the previous year. Of the 5,561 senior staff supporting political and higher-level positions (first to fourth categories), 1,109 (20 per cent) were women. The number of women occupying such positions was 75 in 2007 but had reached 106 as at 1 April 2015. Women are employed mainly in central government agencies and structures that report to them. Currently, women constitute 47.4 per cent of staff of the Majlis-i Namoyandagon, the lower house of the parliament; in the Civil Service Agency, they make up 47.6 per cent of staff; in the Statistics Agency, 41.1 per cent; in the Ministry of Economic Development and Trade, 34.8 per cent; in the Ministry of Culture, 35.1 per cent; in the Committee on Language and Terminology, 33.3 per cent; in the Committee on Television and Radio Broadcasting, 42.3 per cent; in the Communication Service, 38.7 per cent; in the Social Security and Pensions Agency, 40.3 per cent; in the Central Archive Department, 60 per cent; and in the Central Geology Department, 41.6 per cent.

62. On 1 November 2014, the Government adopted a decision on the reform of the Committee for Women and the Family, which reports to it. Pursuant to the decision, the number of posts in the Committee's central administration was increased by 7 and in its local offices by 105, and, on 1 January 2015, a legal office was established, along with an expert council to analyse legislation from a gender perspective. The council evaluates bills before their submission to the Government and the parliament.

63. As part of efforts to raise awareness among rural women and girls, through public information and education campaigns, of their right to access justice and education and their right to use of the land, the Republic's courts have held 759 review meetings on causes and factors that can give rise to crime and civil disputes or lead to court judgements being overturned or revised. Some 830 suggestions for preventing the recurrence of similar situations have been submitted to the relevant bodies; 10,014 presentations have been made during meetings with the public and on national and local television and radio stations, and 1,169 articles have appeared in the press.

64. The Committee for Women and the Family, together with an NGO, the League of Women Jurists, is carrying out a project entitled "Gender, entrepreneurialism and the market", which is aimed at increasing economic opportunities for women in communities in the city of Kulyab and in Vakhsh, Muminabod, Vose and Farkhor districts. The action plan to realize the project envisages the design and implementation of measures in the following areas: provision of legal assistance to women for the organization of private farms; documentation; climate change and adaptation; and awarding of grants for entrepreneurial activities. Furthermore, within the framework of the project, advice centres have been established in the aforementioned regions, where rural women can seek counsel on the protection of their rights and interests and their access to the land.

65. To ensure that civil servants contribute more actively to efforts to raise gender awareness and address gender equality issues in the family and society, various activities are being carried out at all levels of government through the skills upgrading system for the civil service and similar programmes for ministries and departments. In the last five months of 2015 alone, 11 courses were created at the Presidential Institute for Public Administration, including 1 refresher training and 10 further training courses, which have been attended by 462 civil servants, including 233 women (50.6 per cent of attendees). The courses cover the following themes: "Legal framework for the civil service in Tajikistan"; "Women leaders"; "Application of the national and international legal and regulatory framework on the rights of the child"; and "Gender-based approaches to safeguarding human rights in the civil service".

H. Rights of the child and eradication of child labour

Recommendations 88.12, 88.13, 88.50, 88.53, 88.54, 89.2, 89.3, 89.4, 90.28, 90.48 and 90.49

66. The National Plan of Action for Children was carried out from 2003 to 2010 in order to implement the provisions of the Convention on the Rights of the Child and the recommendations of the Committee on the Rights of the Child concerning the initial report of Tajikistan and to fulfil the country's international obligations with respect to the protection of children's rights and interests.

67. Registration of the birth of a child is free of charge in Tajikistan. In accordance with article 5 of the Stamp Duty Act, citizens are entirely exempted from payment of stamp duty in connection with the registration of births and issuance of birth certificates.

68. An office on the rights of the child was established within the Executive Office of the President on 15 July 2015 and now acts as the secretariat to the Government Commission on the Rights of the Child. In addition, a children's rights office was set up within the office of the Commissioner for Human Rights in 2012. The office employs three staff, one of whom deals with juvenile justice issues. A juvenile justice department was established within the Ministry of Justice in 2011 and, in 2012, became the department for juvenile justice and children's rights.

69. An appropriate legal framework is in place for tackling forced labour. The Constitution in article 35, the Labour Code, the Education Act and the Act on Parental Responsibility for the Instruction and Education of Children prohibit the engagement of children in forced labour. In addition, pursuant to a presidential order of 12 September 2006, the employment of children in cotton harvesting has been outlawed. The National Programme for 2015-2020 to Eradicate the Worst Forms of Child Labour in Tajikistan was approved pursuant to a presidential decision of 31 October 2014. It is based on article 6 of the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182), which was ratified by Tajikistan in 2005. The Programme provides for social protection for families with children who are engaged in the worst forms of child labour or are in the at-risk group. It also provides for easier access by parents of children who are at risk of being recruited to work in difficult conditions. On 14 March 2014, amendments were made to article 130 (2) of the Criminal Code incorporating a definition of "forced labour" and specifying penalties for its use.

70. Every year, the State service overseeing labour, migration and employment, together with the procuratorial authorities, the tax inspectorate, the Government Commission on the Rights of the Child and civil society organizations, carries out inspections aimed at eliminating the informal employment of minors.

71. As part of his work, the Commissioner for Human Rights periodically conducts public information campaigns. In 2012, the Commissioner, in cooperation with civil society, carried out monitoring in eight of the Republic's regions to assess respect in the juvenile justice system for the right of minors to freedom from torture and cruel treatment. This monitoring covered children who had previously been in conflict with the law. In 2014, the use of violence against children in five closed and semi-open institutions was monitored. In addition, in 2012-2015, monitoring was undertaken in 23 reform schools to evaluate the observance of the rights and freedoms of children as set out in the Convention on the Rights of the Child.

72. Dialogue on the fight against trafficking in persons takes place on a regular basis with the participation of social partners, namely, diplomatic missions of foreign States, international organizations and the Interdepartmental Commission on Combating Trafficking in Persons. In 2013, in order to upgrade the professional skills of officers at

penal institutions (women's colonies) and reform schools (children's colonies), the Commissioner for Human Rights conducted training sessions on international standards and national legislation on the rights of children and women deprived of liberty.

73. Staff of the Commissioner's office have held a number of meetings on issues relating to the rights and freedoms of children, the prohibition on corporal punishment of children and ways of guaranteeing children's access to education and safe drinking water, and on international standards in those areas. The meetings were organized and took place in the following towns and districts of Sughd province: in Khujand, Chkalovsk, Kanibadam, Bobojon Gafurov, Isfara and Istaravshan. The deputy chairpersons of the towns and districts and the heads of the departments of women's affairs, education, health, social protection and internal affairs took part, along with civil society representatives, residential school principals and their charges.

74. On 18 March 2015, the Protection of Children's Rights Act was passed. The Act contains an explicit prohibition on the employment of children in heavy, underground work and in harmful working conditions. Tajik legislation explicitly prohibits child labour and corporal punishment of children in any circumstances, including in the home and at school. In addition, amendments have been made to article 174 (non-fulfilment of duties with respect to the upbringing of a minor) of the Criminal Code, under which failure to fulfil or to properly fulfil duties with respect to the upbringing of a minor by a parent or other person entrusted by law with those duties, or by a teacher or other employee of an educational establishment or reform school, if accompanied by cruel treatment of the minor, is a criminal offence.

I. Rights of persons with disabilities

Recommendation 90.18

75. An interdepartmental working group has been set up to undertake a survey of legislation and revise it; consider the feasibility of accession to the Convention on the Rights of Persons with Disabilities; conduct an awareness-raising campaign aimed at overcoming stigmatization; and study the possibility of adopting new criteria for the definition of disability that are in line with international standards.

J. Health

Recommendations 88.65, 88.66 and 88.67

76. The situation with respect to the supply of safe drinking water through central networks is improving thanks to the implementation of State programmes and strategies for the fulfilment of the country's obligations under the Millennium Development Goals. The rate of access to safe drinking water in 2015 stood at 55.6 per cent of the population, that is 4,667,500 persons. To meet their needs, the remainder of the population (44.4 per cent) used various sources, including irrigation channels and ditches (18.6 per cent), natural sources (9.1 per cent), rivers and streams (6.8 per cent), open wells (1.9 per cent), hand pumps (3.8 per cent), transported water (2.5 per cent), straight wells (1.9 per cent) and rainwater (0.2 per cent). Of the urban population, 94.5 per cent had access to safe drinking water; for the rural population, the figure was 42.1 per cent. Drinking water is provided through 742 central supply networks, including 105 communal and 637 departmental networks.

77. Between 2007 and 2015, 341.15 million somoni were spent to implement the Drinking Water Supply Programme for 2007-2020, or 90.9 per cent of programme funding.

In addition, in the context of ongoing projects, US $80.4 million has been spent on the construction and restoration of water supply systems and the improvement of sanitation.

78. The average HIV/AIDS prevalence rate in the country is 0.1 per cent, which is 1.1 per cent lower than the global rate. However, according to the World Health Organization (WHO) rankings, Tajikistan is located in a high-prevalence area. On 30 October 2010, the Government adopted the Programme to Tackle the HIV/AIDS Epidemic in Tajikistan for 2011-2015, which has been successfully implemented. The statute of the Coordinating Committee to Prevent and Combat HIV/AIDS, Tuberculosis and Malaria in Tajikistan was approved by government decision. The Programme having been completed, it has been decided to prepare and submit a new programme.

79. To date, 40 centres have been established to prevent and treat HIV/AIDS. All newly-established centres are furnished with modern equipment, including a computer and printer, tables and chairs, prophylactic and diagnostic preparations and materials, enzyme immunoassay equipment and so forth. To ensure that HIV/AIDS prevention and treatment services are accessible, 24 enzyme immunoassay laboratories and 4 CD4-count laboratories have been set up and 40 ambulances have been provided for the centres. In addition, 5 special clinics have been established at infectious diseases hospitals for persons living with HIV and are being supplied with the necessary equipment and drugs in a timely fashion.

80. On 24 and 25 February 2015 in Geneva, the Committee on Economic, Social and Cultural Rights, at its fifty-fourth session, considered the combined second and third periodic reports of Tajikistan on the implementation of the eponymous International Covenant. The Committee, at its 20th meeting, held on 6 March 2015, presented its recommendations in connection with the report's consideration. A National Action Plan for 2015-2020 to implement these recommendations has now been adopted.

K. Right to social protection and poverty eradication

Recommendations 88.60, 88.61, 88.62, 88.63 and 90.50

81. In order to lay the foundations for sustainable economic development, a National Development Strategy for the period up to 2015 has been devised, along with medium-term poverty reduction strategies; these documents have been adopted by the Government. The first phase of the poverty reduction strategy was to be implemented during the period 2007-2009. The subsequent, 2013-2015 phase was entitled Strategy to Improve the Well-being of the Population for 2013-2015. The final phase of the strategy first addressed such important social issues as impact and problem-solving approaches.

82. Thanks to the measures taken, the poverty rate in the country fell from 81 per cent in 1999 to 31 per cent in 2015. The reduction in the poverty rate is primarily the result of economic development and macroeconomic and social stability. It is planned to cut the rate to 20 per cent by 2020.

83. All economic and social development policies, strategies, programmes and plans are based on the National Development Strategy for the period up to 2015 and the Strategy to Improve the Well-being of the Population for 2013-2015. In order to improve living conditions and promote the attainment of national goals and priorities, more than 47 urban and rural development programmes have been developed and carried out.

84. To enhance living standards, a national development strategy for the period up to 2030 is being devised. The draft is under discussion by the public and experts.

L. Protection of the rights of migrants

Recommendations 88.67, 88.68 and 88.69

85. The National Action Plan for 2013-2017 to implement the recommendations of the Committee on Migrant Workers was adopted in order to ensure the coordination of actions to promote the civil, political and social rights of migrant workers and is now being carried out.

86. Guidelines on the procedures of the central administration of the Migration Service under the Ministry of Labour, Migration and Employment were approved on 25 September 2014 to regulate the consideration of complaints lodged by migrant workers and members of their families.

87. To strengthen cooperation between the Migration Service and the office of the Commissioner for Human Rights, on 10 October 2013 a memorandum of understanding was signed covering cooperation in protecting the rights and interests of Tajik migrant workers and members of their families during their time abroad, including migrant workers convicted of offences.

88. In 2015, 112,183 persons made applications to the Migration Service and the structures that report to it, 100,601 orally, 2,794 in writing and 8,788 by telephone. Of those persons, 10,165 were women. During checks prior to departure by aircraft for the Russian Federation, 36,292 Tajik nationals were discovered to be on the list of persons banned from entering the territory of that country. The applicants to the Migration Service were mainly seeking clarification of the reasons for their deportation from the Russian Federation, explanations of host country legislation or procedures for acquiring licences in the Russian Federation, replacement of lost documents, assistance with the return of relatives to Tajikistan and so forth. The list of persons banned from entering the territory of the Russian Federation was sent to all the structures reporting to the Migration Service, allowing Tajik nationals to undergo pre-departure screening. Tajik migrant workers whose rights and interests are violated may contact the central administration of the Migration Service or the Tajik mission in the Russian Federation using a telephone helpline.

89. Information is disseminated via the media on the procedure for the consideration of applications by members of the public.

90. Coordination of the activities of government agencies and international, civil society and other organizations with respect to the collection and analysis of statistical data on migrant workers has been improved. Every six months, the Ministry of Labour, Migration and Employment reports to the Government on the progress made in implementing the National Strategy on Tajik Labour Migration for 2011-2015.

91. A new strategy for the period 2016-2020 has been prepared and submitted for review by the Government.

92. To ensure that migrant workers have access to necessary information, advice bureaux and departments are in operation within the central administration of the Migration Service and its branches in the provinces and in the city of Dushanbe. Following changes to the legislation of the Russian Federation on labour migration, over 100,000 information booklets were printed in Russian and Tajik and distributed to the population in the regions. The main issues relating to labour migration are explained on television and radio, by means of informational spots and discussions, and in newspapers and magazines, including online. State-run centres have been established in the cities of Dushanbe, Khorog, Khujand and Kurgan-Tyube to advise migrant workers and prepare them for departure. A State-run agency ensures that migrant workers have employment abroad. The agency has concluded a cooperation agreement with enterprises and institutions of the Russian Federation and

Kazakhstan on issues relating to the organized recruitment of migrant workers. The Ministry of Labour, Migration and Employment is implementing a plan of action for the award of certificates of Russian language proficiency and knowledge of the history and legal foundations of the Russian Federation.

93. The implementation of the National Strategy on Tajik Labour Migration for 2011-2015 is intended to address priority economic and social issues such as employment, social insurance, labour migration, pensions and social assistance.

M. Freedom of conscience

Recommendations 88.52, 90.43, 90.44, 90.45, 90.46 and 90.47

94. For the purposes of safeguarding freedom of religion, ensuring tolerance and fighting all forms of discrimination against persons belonging to religious minorities, awareness-raising and cultural events, along with training seminars, have been held for the public and members of the clergy to explain the provisions of the Freedom of Conscience and Religious Associations Act, the Traditions, Celebrations and Rituals Regulation Act and the Domestic Violence Prevention Act. In cooperation with the Russian Orthodox Church in the City of Dushanbe, an international theoretical conference on the theme "Christianity and Islam" was held in the city's Ismaili Centre, with the participation of representatives of Tajikistan, Kyrgyzstan and the Russian Federation. The Islamic University of Tajikistan has conducted two theoretical and practical conferences, four seminars and three meetings on religious topics. A conference on the theme "Building a healthy family" was held in the Islamic Secondary School to mark the Year of the Family. In order to enhance their knowledge, 197 imam khatib and imams from central and local mosques in towns and districts of Khatlon province were invited to attend refresher courses on issues of religion and faith.

95. A legislative analysis has been undertaken to determine whether the 2011 amendments to the Criminal Code comply with the international obligations of Tajikistan in the areas of freedom of assembly and freedom of conscience. Article 160 of the Code provides for criminal liability for violations of the procedures for organizing and/or conducting assemblies, rallies, demonstrations, pickets or street processions by the organizer or by an active participant in such an event if the violation occurs within one year of the imposition of an administrative penalty. This measure is aimed at safeguarding the rights, freedoms and security of the public, which is in line with the international obligations in respect of freedom of assembly and freedom of conscience.

N. Freedom of expression

Recommendations 88.51, 90.38, 90.39, 90.40, 90.41 and 90.42

96. On 19 March 2013, a revised Press and Other Media Act that takes account of international standards was adopted. The Act contains provisions to strengthen media independence and establishes liability for officials who fail to provide information to journalists in a timely fashion or obstruct access to information.

97. The procedure for registering media outlets has been simplified and registration now takes place according to the single window method. As at 1 May 2015, there were 355 newspapers, 225 magazines and 11 news agencies. The newspapers included 27 in Russian, 6 in Uzbek, 14 in Tajik and Uzbek, 83 in Tajik and Russian, 2 in English and Russian, 26 in Tajik, Russian and English, 14 in Tajik, Russian and Uzbek, 3 in Tajik, Russian, English and Farsi, and 2 in Kyrgyz, Tajik and Russian. Of the magazines, 10 appeared in Russian, 4

in Uzbek, 4 in Tajik, Russian and Uzbek, 1 in Tajik and Uzbek, 49 in Tajik and Russian, 37 in Tajik, Russian and English, 1 in Tajik, Russian and Arabic, and 1 in Tajik, Russian, Kyrgyz and English. There were 102 State-owned and 253 independent newspapers, and 100 State-owned and 125 independent magazines. Of the news agencies, 1 was State-owned and the remaining 10 were independent.

98. In 2012, the articles on "defamation" and "insult" were deleted from the Criminal Code, and liability was established for these acts under civil law, in the Civil Code.

99. Under article 23, paragraph 3, of the Press and Other Media Act, government agencies and organizations and their officials are required to provide the media with necessary official information and respond to criticism or analysis within three working days of an enquiry's being made or of the relevant material's being published or broadcast. Urgent information that is of public interest must be handed over by government agencies and organizations and their officials without delay if it is not included in the list of State secrets and other legally protected information and does not require further study.

O. Right to education

Recommendations 88.55, 88.56 and 88.57

100. The National Inclusive Education Policy for Children with Special Needs for 2011-2015 is being implemented. Pursuant to the Policy, a reform of the education system, aimed at ensuring access to education for children with special needs, has begun.

101. The Commissioner for Human Rights has completed a comprehensive analysis of legislation and of the recommendations made by the Committee on the Rights of the Child on improving the conditions in which education is provided and increasing children's access to education. As part of efforts to guarantee children, particularly orphans, the right to a decent standard of living, 76 residential schools have been set up to ensure that orphaned and homeless children receive an education and enjoy improved living conditions and that educational materials are available to them and to children with special needs. These schools are attended by 11,389 pupils, including 3,008 girls, 1,569 children with disabilities, 171 orphans, 1,453 children with no father and 249 with no mother, and 3,550 children from low-income families.

102. All children in Tajikistan receive general basic education. Within the framework of the State programme for 2010-2013, a range of measures was taken to induce girls to study in educational institutions and to boost their participation, including the introduction of grants and other forms of financial assistance. In addition, outreach efforts aimed at increasing girls' enrolment were improved. To encourage children from low-income families to attend school, the Government adopted on 2 May 2007 and is now implementing a decision on the payment of allowances to low-income families with children in school. Pursuant to this decision, 15 per cent of schoolchildren from low-income families currently receive monetary allowances.

103. To ensure that children with developmental difficulties receive timely, quality assistance with respect to treatment, instruction and education, centres have been established to dispense psychological, medical and pedagogical advice in the following towns and districts: Dushanbe, Kurgan-Tyube, Kulyab, Khujand, Khorog, Pendzhikent, Isfara, Bobojon Gafurov and Istaravshan. With financial support from UNICEF, these centres were furnished with necessary equipment worth more than US $166,688. The specialists working at the centres have received training on rehabilitation and care for children with special needs.

P. Human rights education

Recommendations 88.11, 88.58 and 88.59

104. The Government, on 3 December 2012, approved the new Human Rights Education in Tajikistan Programme for 2013-2020. The Programme is aimed at gradually expanding and enhancing the system of public information, awareness-raising and education in the field of human rights and making qualitative improvements to training in line with the requirements of national legislation and international standards. The Programme covers human rights education in the general education system and training and refresher courses for teachers, judges, civil servants, law enforcement officers and military personnel at all levels. The subject "Human rights" has been included at all levels of the education system. The main themes of human rights education programmes are based on relevant international and national texts and take account of the principles, purposes and goals of the second phase (2010-2014) of the World Programme for Human Rights Education.

105. To implement the Tajik Programme, an Interdepartmental Coordinating Council was established; the Council, which reports to the Commissioner for Human Rights, consists of heads of training structures in ministries, institutions, higher education establishments and other organizations. In 2013, under the first phrase of the Programme (2013-2014), the Council adopted a decision approving its statute and another approving the action plan to implement the first phase. The Council decided to establish working groups reporting to it and tasked them with developing and presenting targeted programmes addressing the main areas of the Programme and methodological instructions on issues relating to the Programme's implementation, as well as carrying out other activities provided for in the Programme. Pursuant to this decision, six working groups were set up under the Council to cover the Programme's main areas, namely, training for civil servants, training for law enforcement agencies and penal institutions, training for military personnel, training for judges and staff of judicial bodies, training in higher and specialized education establishments, and training in general secondary education establishments. The human rights education programmes presented by the Council and its working groups for staff of various agencies and establishments are now being delivered in some ministries and institutions. The Presidential Institute for Public Administration, in addition to presenting an education programme for 2015, selected several themes connected with the Human Rights Education in Tajikistan Programme and submitted them for approval. To ensure the continuity of human rights education and the realization of the main goals under the Programme, the working groups reporting to the Council presented 17 targeted programmes on human rights education, which were approved and are now being rolled out in certain educational establishments. In December 2014, as required under the Programme, these programmes were transmitted to the Ministry of Education and Science so that they could be delivered in all educational establishments. It is now intended to implement the action plan for the second phase of the Programme.

106. The action plan was presented on 31 March 2015, with the participation of representatives of State agencies, NGOs and international organizations.

VI. Further steps to protect and promote human rights

Recommendations 88.8, 88.70, 90.10, 90.12 and 90.22

107. Respect for human rights is of primordial importance to Tajikistan and is a priority of the country's domestic and foreign policy. Tajikistan is committed to observance of the Charter of the United Nations and other international legal instruments and to a policy of

further developing democracy, the rule of law and respect for human rights and fundamental freedoms.

108. Tajikistan will also continue to work steadily in the future to protect human rights and fundamental freedoms by engaging in equal dialogue with all countries.

109. Tajikistan will systematically fulfil its obligations to report on the progress made in implementing international treaties on human rights, on the basis of the principles of cooperation and mutually respectful and constructive dialogue, and will publish and disseminate concluding observations and look into ways of implementing them.

110. Tajikistan intends to pursue its cooperation with the tools and mechanisms of the Human Rights Council and to extend invitations to special rapporteurs.

111. The process of continuously exchanging views and experience with other countries on the refinement of the country's legislation in the field of human rights will continue, as will cooperation with international organizations and NGOs to strengthen universal human rights standards.

112. Tajikistan will consider the question of accession to and ratification of the international human rights instruments referred to in the recommendations of the Human Rights Council and other international organizations.

113. Tajikistan will take effective measures to fine-tune the activities of the Government Commission on Compliance with International Human Rights Obligations.

114. A range of State programmes and policies on human rights has been adopted in Tajikistan and their implementation remains important to the country.

115. Measures will be taken to expand cooperation with the international community with support from the United Nations country team, in particular OHCHR.

United Nations A/HRC/WG.6/25/TJK/2

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Tajikistan

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

1. International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (1995)		ICCPR-OP 2
	ICESCR (1999)		OP-CAT
	ICCPR (1999)		CRPD
	CEDAW (1993)		ICPPED
	CAT (1995)		
	CRC (1993)		
	OP-CRC-AC (2002)		
	OP-CRC-SC (2002)		
	ICRMW (2002)		
Reservations and/or declarations	OP-CRC-AC (Declaration under art. 3(2), 18 years)		
Complaints procedures, inquiries and urgent action[3]	ICCPR-OP 1 (1999)	OP-CEDAW (2014)	ICERD, art. 14
	CAT, art. 20 (1995)		OP-ICESCR
			ICCPR, art. 41
			OP-CEDAW, arts. 8–9
			CAT, arts. 21–22
			OP-CRC-IC
			ICRMW, arts. 76–77
			OP-CRPD
			ICPPED

2. Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide		
	Rome Statute of the International Criminal Court		
	Palermo Protocol[4]		

Status during previous cycle	*Action after review*	*Not ratified*
1951 Convention relating to the Status of Refugees and its 1967 Protocol		Conventions on stateless persons[5]
Geneva Conventions of 12 August 1949 and Additional Protocols I and II[6]		Additional Protocol III to the 1949 Geneva Conventions[7]
ILO fundamental conventions[8]		ILO Conventions Nos. 169 and 189[9]
Convention against Discrimination in Education		

1. Tajikistan was invited to ratify CRPD,[10] OP-ICRPD,[11] ICPPED,[12] OP-ICESCR,[13] ICCPR-OP 2,[14] OP-CAT,[15] Conventions on statelessness,[16] and International Labour Organization (ILO) Conventions Nos. 156,[17] 183,[18] 118,[19] 181[20] and 189.[21]

2. Tajikistan was invited to consider making the declarations provided for in articles 76 and 77 of ICRMW[22] and under articles 21 and 22 of CAT.[23] It was invited to accelerate the acceptance of the amendment to article 20 (1) of CEDAW,[24] and ratify amendments to article 8 (6) of ICERD.[25]

B. Constitutional and legislative framework

3. N/A.

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[26]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[27]
Human Rights Ombudsman	-	B (2012)

4. The Committee on Economic, Social and Cultural Rights recommended that the Human Rights Ombudsman be an independent institution with the necessary resources to fulfil its mandate in conformity with the Paris Principles.[28]

5. The Committee on the Elimination of Discrimination against Women recommended that the status of the national machinery for the advancement of women be elevated, and its mandate strengthened.[29]

6. The United Nations country team stated that Tajikistan should adopt a comprehensive national human rights action plan by involving civil society, and continue reinforcing the mandate of the Commission on Implementation of International Obligations in the Field of Human Rights.[30]

7. In 2015, the Secretary-General highlighted the importance of strengthening national coordination mechanisms and implementing United Nations human rights recommendations holistically.[31]

II. Cooperation with human rights mechanisms

8. In 2014, Tajikistan submitted its midterm report regarding the follow-up to the recommendations of its universal periodic review, which was held in 2011.[32]

9. The Special Rapporteur on the situation of human rights defenders was concerned by reports of reprisals against human rights defenders due to their cooperation with international human rights mechanisms.[33]

A. Cooperation with treaty bodies

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Committee on the Elimination of Racial Discrimination	August 2004	2016	August 2012	Combined ninth to eleventh reports pending consideration
Committee on Economic, Social and Cultural Rights	November 2006	2011	March 2015	Fourth report due in 2020
Human Rights Committee	July 2005	2011	July 2013	Third report due in 2017
Committee on the Elimination of Discrimination against Women	February 2007	2011	October 2013	Sixth report due in 2017
Committee against Torture	November 2006	-	November 2012	Third report foreseen in 2016
Committee on the Rights of the Child	January 2010	-	-	Combined third to fifth reports overdue since 2015, initial OP-CRC-SC and OP-CRC-AC reports overdue since 2004
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	-	-	April 2012	Second report due in 2017

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
Committee on the Elimination of Racial Discrimination	2013	Situation of the Roma and of refugees, asylum seekers and stateless persons, including access to citizenship[34]	-
Human Rights Committee	2014	Procedural safeguards of detention, independence of judges and lawyers, registration of public associations[35]	2015;[36] further information requested[37]
Committee on the Elimination of Discrimination against Women	2015	Violence against women, disadvantaged groups of women[38]	2015;[39] follow-up dialogue ongoing
Committee against Torture	2013	Effective investigations; legal safeguards for persons detained; prosecuting and sanctioning perpetrators of torture[40]	2014;[41] follow-up dialogue ongoing
	2007	Detention; review of detention places; impunity; statements/confessions made as a result of torture[42]	-

Views

Treaty body	*Number of views*	*Status*
Human Rights Committee	1[43] (second universal periodic review cycle)	Follow-up dialogue ongoing[45]
	21[44] (first universal periodic review cycle)	Follow-up dialogue suspended for 18 cases in October 2011 based on a finding of a non-satisfactory implementation of recommendations;[46] closed for one case;[47] ongoing for two cases[48]

10. The Human Rights Committee was concerned about the failure of Tajikistan to implement its views under ICCPR-OP1.[49]

B. Cooperation with special procedures[50]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Independence of judges and lawyers	Torture
	Freedom of religion or belief	Health
	Violence against women	Safe drinking water and sanitation
Visits agreed to in principle	Adequate housing	Adequate housing

	Disappearances
	Freedom of opinion and expression
Visits requested	-
	-
Responses to letters of allegation and urgent appeals	During the period under review, 14 communications were sent. The Government replied to 11 communications.
Follow-up reports and missions	Torture (mission 2014)[51]

11. The Assistant Secretary-General for Human Rights encouraged Tajikistan to issue a standing invitation to the special procedures, giving priority consideration to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and to the Special Rapporteur on the situation of human rights defenders.[52]

12. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment expressed concern about allegations of reprisals that took place after his visit in 2012 against people who spoke with him or complained about mistreatment.[53]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

13. The United Nations High Commissioner for Human Rights visited Tajikistan in 2012,[54] and the Assistant Secretary-General for Human Rights visited Tajikistan in 2013.[55]

14. OHCHR, through its Regional Office for Central Asia based in Bishkek, provided technical assistance to the Government.[56]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

15. The Committee on Economic, Social and Cultural Rights urged Tajikistan to expedite the adoption of a comprehensive anti-discrimination law, providing a definition of direct and indirect discrimination, and including all the grounds for discrimination set out in the Convention.[57]

16. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of adverse cultural norms and traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society. The Committee was also concerned that Tajikistan did not take sufficient actions to eliminate such stereotypes.[58]

17. The Committee on the Elimination of Discrimination against Women remained concerned about structural inequalities, occupational segregation, the gender pay gap, and the concentration of women in the informal sector and in low-paid jobs.[59] The Committee was concerned about gender segregation in education, particularly in vocational education.[60] It noted some restrictions on women's freedom of expression and religion, such as the fatwa of the Council of Ulemma against women's attendance at, and praying in,

mosques.[61] The Committee on Economic, Social and Cultural Rights noted the lack of temporary measures to address gender discrimination in employment and in other areas.[62]

18. Noting that the Labour Code provided a definition of racial discrimination, the Committee on the Elimination of Racial Discrimination reiterated its concern about the absence in the legislation of similar provisions covering other social areas. Provisions on racial discrimination were not in full compliance with ICERD, including the absence of criminalization for incitement to racial discrimination and acts of racially motivated violence.[63]

19. The Special Rapporteur on health was concerned about the stigmatization and discrimination associated with people living with tuberculosis and HIV/tuberculosis co-infection.[64] Likewise, the stigmatization of and discrimination against people living with mental illness were a concern.[65]

20. In respect of universal periodic review recommendation No. 88.50[66] concerning birth registration, the Office of the United Nations High Commissioner for Refugees (UNHCR) stated that parents could face difficulty in registering the birth of their child if either parent lacked identity documents. It recommended that Tajikistan issue birth certificates to all children regardless of their parents' possession of identity documents.[67]

B. Right to life, liberty and security of person

21. While welcoming the moratorium on the death penalty, the Human Rights Committee regretted the slow progress in abolishing the death penalty.[68]

22. The Human Rights Committee was concerned about the allegations of civilian deaths and injuries during the security operation in the City of Khorog in July 2012 and that investigations into those cases had not yet been finalized.[69]

23. The Special Rapporteur on torture observed that torture and ill-treatment continued to be a problem, taking place particularly during the first hours of detention and interrogation, and were usually associated with the purposes of extracting self-incriminating evidence to be used in criminal proceedings.[70]

24. While welcoming the incorporation of article 143-1 into the Criminal Code to bring the definition of torture in line with the Convention, the Committee against Torture expressed concern that the sanctions envisaged of five years imprisonment or less for first-time offenders of torture were not commensurate with the gravity of the crime.[71]

25. The Committee against Torture was concerned that hazing and ill-treatment of conscripts by officers and soldiers in the military continued to prevail. It recommended that Tajikistan reinforce measures to prohibit and eliminate such cases.[72]

26. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of violence against women, including domestic violence, which often remained underreported.[73] The Committee on Economic, Social and Cultural Rights was concerned that domestic violence was not criminalized.[74]

27. The United Nations country team stated that the 2013 law on domestic violence and its associated Programme for 2014–2023 set firm grounds towards combating domestic violence, but lacked a solid mechanism for its implementation.[75] The Committee on the Elimination of Discrimination against Women was concerned about the lack of shelters for victims of violence.[76] The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stated that doctors and health-care workers were not trained to screen and document instances of domestic violence.[77]

28. The Committee against Torture was concerned about the lack of legislation prohibiting corporal punishment of children, despite allegations of its widespread use.[78] The Human Rights Committee recommended putting an end to corporal punishment in all settings and encouraging non-violent forms of discipline as alternatives to corporal punishment.[79]

29. The Committee on the Elimination of Discrimination against Women remained concerned that child labour persisted.[80] The ILO Committee of Experts on the Application of Conventions and Recommendations noted that the compulsory mobilization of children for work in the harvest, taking place often under hazardous conditions, continued. Street children were at a risk of becoming involved in the worst forms of child labour.[81] The ILO Committee of Experts urged Tajikistan to eradicate the forced labour of, or hazardous work by, children under 18 years of age, and combat and eliminate the worst forms of child labour.[82]

30. The Committee on the Elimination of Discrimination against Women was concerned that Tajikistan was a country of origin and transit for trafficked women and girls.[83] The country team noted that Tajikistan had also been, to a lesser extent, a destination for human trafficking. Procedures and budgetary allocations for identification of victims of trafficking and for the provision of adequate services to them remained largely unavailable. The country team recalled that Tajikistan supported several recommendations of the universal periodic review to combat human trafficking.[84]

C. Administration of justice, including impunity, and the rule of law

31. The Committee against Torture was concerned that the judiciary remained weak, inefficient, and influenced by the Council of Justice, which was reportedly subordinate to the President and the executive branch.[85] The Committee on Economic, Social and Cultural Rights was concerned that the independence and impartiality of the judiciary lacked effective guarantees.[86] The country team observed that the universal periodic review recommendations to strengthen the effectiveness and independence of the judiciary remained to be implemented.[87]

32. The Human Rights Committee reiterated its previous concern that military courts enjoyed jurisdiction to examine criminal cases in which military personnel and civilians were jointly accused. It was recommended that Tajikistan prohibit military courts from exercising jurisdiction over civilians.[88]

33. Noting Tajikistan's acceptance of the universal periodic review recommendations on access of detainees to lawyers,[89] the Special Rapporteur on torture remained concerned about the lack of adequate access to independent legal counsel. Lawyers faced numerous obstacles when trying to meet with their clients. The Special Rapporteur noted concerns expressed that some lawyers were subjected to threats or reprisals for their work.[90]

34. In 2015, the Special Rapporteur on the independence of judges and lawyers sent a communication noting that a new law on Advocacy and the Bar had established a body under the Ministry of Justice responsible for regulating entry into the legal profession, disbarment, and issuing licenses to practice law, which thus left lawyers vulnerable to interference from the executive branch. The Government replied to this communication.[91]

35. The Human Rights Committee recommended ensuring that the procedures and criteria for access to and conditions of membership of the Bar did not compromise the independence of lawyers.[92]

36. The Committee on Economic, Social and Cultural Rights was concerned about limited access to free legal aid.[93] The Human Rights Committee recommended creating a State-subsidized legal aid system.[94]

37. The Special Rapporteur on torture remained concerned about shortcomings in the implementation of effective procedural safeguards during the first hours of arrest and detention.[95] He recommended ensuring that the time of arrest started from de facto apprehension and delivery to a police station, and that arrest be scrupulously recorded.[96] The Committee against Torture recommended ensuring that suspects be informed of their rights and the reasons for their detention, and be guaranteed the right of access to lawyers of their choice from the moment of apprehension; that anyone arriving at a detention facility undergo a routine medical examination; and that access to independent doctors be provided when requested by the detainee.[97]

38. Furthermore, the Human Rights Committee recommended ensuring that persons in police custody be brought before a judge within a maximum period of 48 hours, and that the decision of the judge be based on individual circumstances and not solely on the grounds of the gravity of the crime.[98]

39. The Human Rights Committee was concerned about the number of violent deaths of persons deprived of liberty and the lack of effective investigations thereof, and that compensation to relatives was rarely provided. It was concerned about the unsatisfactory action taken to resolve the problem of tuberculosis as a common cause of deaths of persons in custody.[99]

40. The Human Rights Committee was concerned about poor conditions in prison facilities.[100] The Committee against Torture was concerned about reports of the lack of hot water supply, inadequate sanitary conditions, poor ventilation, and inadequate food and health care in prisons and pretrial detention facilities.[101]

41. The Committee against Torture was concerned about strict regimes for inmates serving life imprisonment. The Committee recommended that Tajikistan eliminate the complete isolation of prisoners serving life imprisonment, improve their living conditions, and repeal legislation limiting their contacts with lawyers and family members.[102]

42. The Committee against Torture was concerned about the lack of systematic and independent review of detention places. It recommended that Tajikistan grant unimpeded access to the International Committee of the Red Cross and independent non-governmental organizations (NGOs) to detention places, and establish an effective national preventive mechanism, which is resourced and permitted to conduct regular, unannounced and unrestricted visits of inspection to all places of deprivation of liberty.[103]

43. The Committee against Torture was concerned that allegations of torture and ill-treatment were not promptly, impartially or effectively investigated and prosecuted, thus creating a climate of impunity.[104] It was concerned that victims of, and witnesses to, torture and ill-treatment reportedly did not file complaints with the authorities for fear of reprisals, and about reports of harassment and intimidation of journalists and human rights defenders who reported on torture.[105]

44. The Human Rights Committee recommended investigating effectively allegations of torture or ill-treatment, launching ex officio investigations and mandating judges in pretrial detention hearings to examine such allegations and refer for investigation, guaranteeing the exclusion by the judiciary of evidence obtained under torture as provided by law and bringing alleged perpetrators to justice and, if they are convicted, punishing them with commensurate sentences and compensating victims.[106]

45. The Special Rapporteur on torture noted that, despite the commitment made by Tajikistan during the universal periodic review to establish an independent complaints

mechanism to respond to allegations of torture, Tajikistan had yet to establish such a mechanism.[107]

46. The Committee against Torture was concerned that the law on amnesty granted a rather wide discretion to commute, reduce or suspend sentences of persons convicted of torture.[108] The Special Rapporteur on torture recommended amending the legislation to reflect the unavailability of amnesties for the crime of torture.[109]

47. The Special Rapporteur on torture remained concerned by reports that victims of torture and ill-treatment and their families did not receive adequate reparations.[110] The Committee against Torture was concerned that there was no explicit legal provision providing for the right of victims of torture to adequate compensation.[111]

48. The country team and the Committee against Torture noted the adoption of a national action plan on the reform of the juvenile justice system for 2010-2015.[112] The Special Rapporteur on torture was concerned that the criminal justice system lacked juvenile courts. Children younger than 14 years of age continued to be subjected to arrest and detention, and youths aged 16 and over were kept in closed institutions for minor offenses.[113] The Special Rapporteur remained concerned that juveniles in conflict with the law were reportedly mistreated during arrest and in detention,[114] and noted that there was reportedly no strict separation between adults and juveniles in pretrial detention facilities or police cells outside Dushanbe.[115]

49. The Committee on Economic, Social and Cultural Rights remained concerned that corruption in the public sector was pervasive and systematic. It was also concerned about the ineffectiveness of preventive measures and the limited scope of prosecuted cases of corruption.[116] The Human Rights Committee was concerned about reports that corruption was widespread in the judiciary.[117] The Special Rapporteur on torture was concerned about reports of corruption at high levels of prison authorities.[118]

D. Right to marriage and family life

50. The Committee on the Elimination of Discrimination against Women was concerned about the high incidence of child marriages and de facto polygamous marriages.[119] The country team stated that marriages were contracted following the religious ceremony *nikoh*, allowing a marriage regardless of the spouses' age.[120] The Committee remained concerned about the large number of marriages that were based only on a religious ceremony.[121]

51. The Committee on Economic, Social and Cultural Rights was concerned that there was a lack of family- or community-based care for children with disabilities and children without parental care, which resulted in their being placed in institutional care.[122]

E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

52. The Human Rights Committee was concerned about restrictions on freedom of religion and about the ban of several religious denominations, including Jehovah's Witnesses and certain Muslim and Christian groups.[123] It was concerned that children might receive religious education only from State-licensed institutions and that all religious education abroad was subject to State permission.[124]

53. The Human Rights Committee recommended repealing or amending provisions of the legislation that imposed disproportionate restrictions on the rights protected by article 18 of ICCPR and reversing its discriminatory refusal to register certain religious denominations.[125]

54. The Human Rights Committee reiterated its concern about the lack of recognition of the right to conscientious objection to compulsory military service, and at the absence of alternatives to military service.[126]

55. The country team reported that freedom of expression continued to be restricted and that media outlets came under governmental scrutiny.[127] The Human Rights Committee expressed concern that the 2013 law on media subjected media organizations to undue registration conditions, that journalists were subject to threats and assaults, and that there was a practice of blocking Internet websites and social networks.[128] The country team reported that, according to the 2015 governmental regulation, news outlets were not allowed to report official news without citing a State-run news agency.[129]

56. The Human Rights Committee recommended ensuring that journalists and other individuals be able to freely exercise the right to freedom of expression and have access to Internet websites and social networks without undue restrictions.[130]

57. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that defamation remained a criminal offense.[131] The Human Rights Committee recommended that Tajikistan review its legislation on libel and insult, and ensure that State officials not use the law on defamation for the purpose of harassing or intimidating journalists.[132]

58. In 2013, the Human Rights Committee expressed concern that the law on public associations imposed undue restrictions on the registration of public associations and endowed the Ministry of Justice with excessive oversight power, resulting in major practical obstacles in the registration and operation of such groups.[133] The Committee on Economic, Social and Cultural Rights was concerned that the 2015 amendments to the law, providing for further inspection procedures for public associations and new restrictions and authorization mechanisms for associations receiving foreign funding, might have an adverse impact on the activities of civil society organizations.[134] Several special procedures mandate holders sent a communication concerning the curtailing effect of the 2015 amendments. The Government replied to this communication.[135]

59. The country team reported that inspections of human rights NGOs took place and court suits were brought for insignificant irregularities.[136] The Human Rights Committee was further concerned about reports of the arbitrary shutting down of various human rights NGOs.[137]

60. The Human Rights Committee recommended that Tajikistan bring its law on public associations into line with the ICCPR, reinstate NGOs which were unlawfully shut down, and refrain from imposing disproportionate or discriminatory restrictions on the freedom of association.[138]

61. The country team stated that the 2014 law on assemblies required the organizers of assemblies to obtain permission in advance and contained broadly worded provisions on the grounds of prohibiting assemblies and the venues in which their conduct was limited. The law did not provide for spontaneous assemblies.[139]

62. The Human Rights Committee was concerned about reports of politically motivated harassment of opposition political leaders with a view to deterring their participation in future elections.[140] The country team stated that a crackdown on the Islamic Revival Party of Tajikistan intensified during the reporting period and that the 2015 elections left the party with no seats in the Parliament. In September 2015, 13 members of the party, including from the leadership, were arbitrarily detained. This wave of arrests came days after a Government campaign and crackdown on the party, which led to the suspension of the party on spurious grounds.[141]

63. While noting that minority groups were entitled to take part in political life without legal obstacles, the Human Rights Committee was concerned that in reality their participation in decision-making bodies, particularly in the houses of Parliament, was rather limited.[142] The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to increase the participation of persons belonging to ethnic minorities in public and political life. It recommended improving representation of these persons within the Parliament and other public institutions, including through the adoption of special measures.[143]

64. The Committee on the Elimination of Discrimination against Women recommended ensuring that women enjoy equal opportunities to participate in political and public life and the use of temporary special measures, such as statutory quotas and incentives, for political parties to nominate women as candidates.[144]

F. Right to work and to just and favourable conditions of work

65. The Committee on Economic, Social and Cultural Rights recommended reinforcing efforts to reduce unemployment, in particular among women, young people and persons with disabilities.[145]

66. The ILO Committee of Experts noted that postnatal leave was not compulsory and requested Tajikistan to complement the Labour Code, imposing a minimum of six weeks of compulsory postnatal leave.[146]

G. Right to social security and to an adequate standard of living

67. The Special Rapporteur on health noted a decrease in relative poverty and extreme poverty.[147] The Secretary-General made a similar observation.[148]

68. The Committee on Economic, Social and Cultural Rights was concerned that the minimum wage, pensions and benefits were too low to ensure an adequate standard of living.[149]

69. The Committee on Economic, Social and Cultural Rights was concerned about the lack of regular access of large parts of the population to safe drinking water and adequate sanitation, and about the irregular and insufficient supply of electricity.[150] The Special Rapporteur on the human right to safe drinking water and sanitation stated that Tajikistan must invest in sanitation and water services to guarantee affordable services for the poor and marginalized, and highlighted a necessity for eliminating disparities and addressing the needs of the most vulnerable groups in this area.[151]

70. The Committee on Economic, Social and Cultural Rights recommended addressing chronic food insecurity and malnutrition and, particularly, the critical nutritional needs of children and pregnant women.[152]

71. The country team noted the absence of specific laws and regulations concerning social housing or affordable housing. Forced evictions were a growing issue and judicial remedies were lengthy, cumbersome and expensive.[153] The Committee on Economic, Social and Cultural Rights recommended promoting affordable rental housing, making better provision for social housing, ensuring that evictions be carried out in compliance with international human rights norms, and establishing effective procedures for those forcibly evicted.[154]

H. Right to health

72. The Special Rapporteur on health encouraged Tajikistan to continue health sector reforms to ensure universal access to high-quality health facilities, goods and services for all.[155] The Special Rapporteur recommended, inter alia, that national budget allocations for health be increased, excess capacity at the secondary and tertiary care levels be reduced, and investment in training of general practitioners and family doctors be increased.[156]

73. The country team stated that, despite a sharp reduction in mortality rates for infants and children under 5 years of age, there were significant disparities by wealth and geographic area, and that the rates remained high. Neonatal mortality had shown no decline.[157] The Committee on Economic, Social and Cultural Rights recommended that the high rates of infant and maternal mortality be reduced, including by improving the quality, availability and accessibility of primary health-care services.[158]

74. The Committee on the Elimination of Discrimination against Women called upon Tajikistan, inter alia, to develop its reproductive health infrastructure and increase the number of skilled personnel.[159] The Committee on Economic, Social and Cultural Rights recommended that sexual and reproductive health education be strengthened.[160]

75. The country team noted progress in the implementation of the national programme on AIDS for 2011–2015. However, the share of new HIV infections amongst women and children was rising. Although vulnerable populations had access to free HIV testing and antiretroviral treatment, they did not approach State-run health facilities due to a fear of stigma and discrimination.[161] The Committee on the Elimination of Discrimination against Women called upon Tajikistan to strengthen the provision of free antiretroviral treatment to all persons living with HIV/AIDS, including pregnant women, to prevent mother-to-child transmission.[162]

76. The Special Rapporteur on health highlighted several factors that contributed to the high prevalence of tuberculosis.[163] The Special Rapporteur recommended that Tajikistan, inter alia, increase funding for tuberculosis prevention, treatment and control; integrate testing and treatment services for tuberculosis fully into the primary health-care sector; and ensure that testing and treatment for tuberculosis be available free of charge.[164]

77. The Special Rapporteur on health recommended, inter alia, adopting a comprehensive mental health policy and plan of action based on the right to health; increasing budget allocations for mental health; implementing mechanisms to investigate reports of abuse of people living with mental illness in mental health facilities; and ensuring that perpetrators of such abuses be held accountable.[165]

78. The Committee on Economic, Social and Cultural Rights urged Tajikistan to combat the inflow and transit of narcotic drugs, and to prevent drug abuse and provide adequate treatment and rehabilitation for drug users.[166]

I. Right to education

79. The Committee on Economic, Social and Cultural Rights was concerned about poor quality of education, a lack of qualified teachers and of teaching materials, low salaries of teachers, and poor conditions of infrastructure and facilities.[167]

80. The Committee on Economic, Social and Cultural Rights was concerned about the high dropout rates among girls and children from families in disadvantageous situations, and about the gender disparity in enrolment and retention rates across all levels of education.[168]

J. Persons with disabilities

81. The Committee on Economic, Social and Cultural Rights was concerned that the legislation did not provide a clear definition of persons with disabilities and that the classification of disability, based on the degree of lost ability to work, led to exclusion from employment of persons with disabilities.[169]

82. The Committee recommended, inter alia, that the enjoyment of economic, social and cultural rights by persons with disabilities be improved.[170]

83. The country team stated that the Government should tackle discrimination in employment against persons with disabilities by enforcing existing quotas and sanctioning employers who do not comply with the quotas.[171]

84. The Committee on Economic, Social and Cultural Rights recommended promoting inclusive education for children with disabilities.[172]

K. Minorities

85. The Committee on Economic, Social and Cultural Rights was concerned about the decreasing number of classes provided in the languages of ethnic minorities and of students attending schools where the teaching was given in the languages of ethnic minorities, owing to the insufficient number of teachers, the lack of retraining programmes for teachers, and a shortage of textbooks in minority languages.[173]

86. The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to strengthen its efforts to provide education in or of minority languages.[174] The country team stated that the Government should, inter alia, increase the budget funding for education of national minorities and conduct regular monitoring of the quality of education.[175]

L. Migrants, refugees and asylum seekers

87. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families acknowledged the adoption of a national strategy on labour migration of Tajik citizens for 2011-2015 and the establishment of the Migration Service.[176] It recommended that necessary resources to the Migration Service be provided, and that a procedure for complaints of the Service be established.[177] The Committee on Economic, Social and Cultural Rights recommended that Tajikistan, inter alia, protect its migrant workers and provide counselling and legal advice to potential migrant workers on migration regulations and employment conditions in countries of employment.[178] The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended monitoring and investigating private recruitment agencies which were involved in cases where Tajik migrant workers were subjected to forced labour or servitude in countries of employment.[179]

88. UNHCR noted that certain gaps remained in the law on refugees, including access to the asylum procedure being dependent on various preliminary requirements and an absence of complementary forms of protection.[180]

89. UNHCR recommended ensuring that asylum seekers being detained as a result of "illegal border crossing" be able to exercise their right to seek asylum by contacting the refugee authorities and UNHCR; giving UNHCR access to detained asylum seekers; developing Referral Mechanism Standard Operating Procedures at the border with clear modalities on reception and further referral of asylum seekers to the refugee authorities; and

respecting the principles of non-refoulement and of non-penalization for asylum seekers arriving irregularly.[181]

90. The Human Rights Committee was concerned about reports of unlawful expulsion and extradition.[182] It recommended that Tajikistan strictly apply the absolute principle of non-refoulement and ensure that decisions on expulsion, return or extradition accord with the due process of the law.[183] The Special Rapporteur on torture recommended ensuring that the obligation not to extradite or deport or expel a person to a country where he or she faces a risk of torture or ill-treatment is duly recognized and that appropriate legal recourse, including access to legal counsel, is guaranteed.[184]

91. The Human Rights Committee remained concerned about reports concerning the abduction and illegal return of Tajik citizens from neighbouring countries to Tajikistan, apparently followed by incommunicado detention and other ill-treatment. The Committee recommended that Tajikistan investigate all such allegations and avoid any involvement in such renditions.[185]

92. The Committee on the Elimination of Racial Discrimination remained concerned about challenges faced by refugees and asylum seekers in terms of employment, access to public services, education and citizenship.[186] UNHCR stated that refugees and asylum seekers were legally precluded from residing in the main urban centres, which had negative implications on their ability to access employment, health care, education and other services.[187] The Human Rights Committee was concerned that frequent raids on refugees and asylum seekers staying in urban areas in contravention of Presidential Resolutions Nos. 325 and 328 led to the rejection of asylum claims, refusal to issue or extend documents or even expulsion and deportation.[188] The Committee on the Elimination of Racial Discrimination recommended lifting the regulation forbidding refugees to live in specific areas, in particular in Dushanbe and Khujand.[189]

93. The Committee on the Elimination of Racial Discrimination remained concerned about the number of long-term stateless persons.[190] UNHCR noted that the 2015 law on nationality brought the definition of stateless persons into closer compliance with the 1954 Convention relating to the Status of Stateless Persons, and included several provisions to prevent statelessness and facilitate naturalization of certain categories of stateless persons under a simplified procedure.[191] It noted the lack of access to essential services due to lack of identity documents and the risk of being penalized for irregular stay in the country. No national mechanism to confirm stateless status was established.[192]

M. Right to development, and environmental issues

94. The Committee on Economic, Social and Cultural Rights recommended that Tajikistan enhance the transparency of the receipt, management and spending of official development funds that it received.[193]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Tajikistan from the previous cycle (A/HRC/WG.6/12/TJK/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[5] 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

[6] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[7] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[8] International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

[9] ILO, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).

[10] See E/C.12/TJK/CO/2-3, para. 14; CEDAW/C/TJK/CO/4-5, para. 39; CAT/C/TJK/CO/2, para. 23; and country team submission to the review of Tajikistan, para. 11.

[11] See CAT/C/TJK/CO/2, para. 23.

[12] See ibid.

[13] See E/C.12/TJK/CO/2-3, para. 38; and CAT/C/TJK/CO/2, para. 23.

[14] See CCPR/C/TJK/CO/2, para. 8; CAT/C/TJK/CO/2, para. 23; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[15] See A/HRC/28/68/Add.2, para. 55; A/HRC/22/53/Add.1, para. 100 (h); CAT/C/TJK/CO/2, para. 14; country team submission to the review of Tajikistan, para. 24; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[16] See CEDAW/C/TJK/CO/4-5, para. 32 (e); UNHCR submission to the review of Tajikistan, p.7. See also country team submission to the review of Tajikistan, para. 53; and CERD/C/TJK/CO/6-8, para. 14 (d).

[17] See CEDAW/C/TJK/CO/4-5, para. 26.

[18] See ibid.

[19] See CMW/C/TJK/CO/1, para. 34.

[20] See ibid., para. 16. See also country team submission to the review of Tajikistan, para. 55.

[21] See CMW/C/TJK/CO/1, para. 16.

[22] See ibid., para. 13.

[23] See CAT/C/TJK/CO/2, para. 24.

[24] See CEDAW/C/TJK/CO/4-5, para. 35.

[25] See CERD/C/TJK/CO/6-8, para. 21.

[26] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

[27] The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf.

[28] See E/C.12/TJK/CO/2-3, para. 9. See also CERD/C/TJK/CO/6-8, para. 17; and CCPR/C/TJK/CO/2, para. 5.

[29] See CEDAW/C/TJK/CO/4-5, paras. 11 and 12.

[30] See country team submission to the review of Tajikistan, paras. 5-6.

[31] Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx.

[32] Available from http://lib.ohchr.org/HRBodies/UPR/Documents/session12/TJ/Tajikistan_Implementationrecommendations.pdf.

[33] See A/HRC/28/63/Add.1, para. 445.

[34] See CERD/C/TJK/CO/6-8, para. 24.

[35] See CCPR/C/TJK/CO/2, para. 27.

[36] CCPR/C/TJK/CO/2/Add.1.

[37] Letter from the Human Rights Committee to the Permanent Representative of Tajikistan, dated 10 December 2015, available from

http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TJK/INT_CCPR_FUL_TJK_22489_E.pdf (accessed on 9 February 2016).

[38] See CEDAW/C/TJK/CO/4-5, para. 40.

[39] CEDAW/C/TJK/CO/4-5/Add.1.

[40] See CAT/C/TJK/CO/2, para. 26.

[41] CAT/C/TJK/CO/2/Add.1.

[42] See CAT/C/TJK/CO/1, para. 25.

[43] CCPR/C/101/D/1499/2006.

[44] CCPR/C/81/D/964/2001, CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/86/D/1044/2002, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/89/D/1121/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1195/2003, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006.

[45] CCPR/C/101/D/1499/2006.

[46] CCPR/C/81/D/964/2001, CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006. A/67/40 (Vol. II), pp. 472-476.

[47] CCPR/C/89/D/1121/2002. See A/67/40 (Vol. II), pp. 472-476.

[48] CCPR/C/86/D/1044/2002, CCPR/C/95/D/1195/2003. See A/67/40 (Vol. II), pp. 472-476.

[49] See CCPR/C/TJK/CO/2, para. 4. See also country team submission to the review of Tajikistan, para. 6.

[50] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

[51] A/HRC/28/68/Add.2.

[52] Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[53] See A/HRC/28/68/Add.2, para. 37. See also country team submission to the review of Tajikistan, para. 22 and CAT/C/TJK/CO/2, para. 15.

[54] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12326&LangID=E and http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12338&LangID=E.

[55] Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[56] See www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx; OHCHR Report 2013, p. 21; OHCHR Report 2012, p. 149; and OHCHR Report 2011, pp. 53, 68, 98 and 103.

[57] See E/C.12/TJK/CO/2-3, para. 13. See also country team submission to the review of Tajikistan, para. 7.

[58] See CEDAW/C/TJK/CO/4-5, para. 15. See also CCPR/C/TJK/CO/2, para. 6; E/C.12/TJK/CO/2-3, para. 16; and country team submission to the review of Tajikistan, para. 13.

[59] See CEDAW/C/TJK/CO/4-5, para. 25. See also ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186689:NO.

[60] See CEDAW/C/TJK/CO/4-5, para. 23. See also E/C.12/TJK/CO/2-3, para. 16.

[61] See CEDAW/C/TJK/CO/4-5, para. 15. See also country team submission to the review of Tajikistan, para. 45.

[62] See E/C.12/TJK/CO/2-3, para. 16.

[63] See CERD/C/TJK/CO/6-8, paras. 9-10.

[64] See A/HRC/23/41/Add.2, para. 32. See also country team submission to the review of Tajikistan, para. 18.
[65] See A/HRC/23/41/Add.2, para. 43.
[66] For the full text of the recommendation, see A/HRC/19/3, para. 88.50.
[67] UNHCR submission to the review of Tajikistan, pp. 5-6.
[68] See CCPR/C/TJK/CO/2, para. 8.
[69] See CCPR/C/TJK/CO/2, para. 10. See also country team submission to the review of Tajikistan, para. 22.
[70] See A/HRC/28/68/Add.2, para. 27; CAT/C/TJK/CO/2, para. 9; and country team submission to the review of Tajikistan, para. 22.
[71] See CAT/C/TJK/CO/2, paras. 6-7. See also A/HRC/28/68/Add.2, paras. 9 and 54; A/HRC/22/53/Add.1, para. 99 (a); and country team submission to the review of Tajikistan, para. 24.
[72] See CAT/C/TJK/CO/2, para. 12.
[73] See CEDAW/C/TJK/CO/4-5, para. 17. See also CCPR/C/TJK/CO/2, para. 7; E/C.12/TJK/CO/2-3, para. 25; country team submission to the review of Tajikistan, para. 15; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.
[74] See E/C.12/TJK/CO/2-3, para. 25. See also CAT/C/TJK/CO/2, para. 16; and country team submission to the review of Tajikistan, para. 17.
[75] See country team submission to the review of Tajikistan, paras. 14-15.
[76] See CEDAW/C/TJK/CO/4-5, paras. 17 and 18.
[77] See A/HRC/23/41/Add.2, para. 45.
[78] See CAT/C/TJK/CO/2, para. 16.
[79] See CCPR/C/TJK/CO/2, para. 15.
[80] See CEDAW/C/TJK/CO/4-5, para. 25. See also E/C.12/TJK/CO/2-3, para. 24.
[81] ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO. See also E/C.12/TJK/CO/2-3, para. 24.
[82] ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO. See also E/C.12/TJK/CO/2-3, para. 24; and ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Minimum Age Convention, 1973 (No. 138) – Tajikistan, adopted in 2013, published 104st ILC session (2014), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147110:NO.
[83] See CEDAW/C/TJK/CO/4-5, para. 19. See also CERD/C/TJK/CO/6-8, para. 15.
[84] See country team submission to the review of Tajikistan, para. 25.
[85] See CAT/C/TJK/CO/2, para. 17.
[86] See E/C.12/TJK/CO/2-3, para. 8. See also CCPR/C/TJK/CO/2, para. 18; and country team submission to the review of Tajikistan, para. 28.
[87] See country team submission to the review of Tajikistan, para. 28.
[88] See CCPR/C/TJK/CO/2, para. 19.
[89] See A/HRC/22/53/Add.1, para. 89.
[90] See A/HRC/28/68/Add.2, para. 17. See also CCPR/C/TJK/CO/2, para. 18.
[91] A/HRC/29/50, p. 53. See also A/HRC/26/21, p. 66; and country team submission to the review of Tajikistan, para. 31.
[92] See CCPR/C/TJK/CO/2, para. 18. See also A/HRC/28/68/Add.2, para. 19.
[93] See E/C.12/TJK/CO/2-3, para. 7.
[94] See CCPR/C/TJK/CO/2, para. 18. See also E/C.12/TJK/CO/2-3, para. 7; and country team submission to the review of Tajikistan, para. 30.
[95] See A/HRC/28/68/Add.2, para. 11. See also A/HRC/22/53/Add.1, paras. 89, 92 and 100.
[96] See A/HRC/22/53/Add.1, para. 99 (e) and para. 100 (a).

[97] See CAT/C/TJK/CO/2, para. 8. See also CCPR/C/TJK/CO/2, para. 16.
[98] See CCPR/C/TJK/CO/2, para. 17. See also A/HRC/22/53/Add.1, para. 100 (c); A/HRC/28/68/Add.2, para. 16; A/HRC/28/68/Add.2, paras. 47- 48; and CAT/C/TJK/CO/2, para. 8.
[99] See CCPR/C/TJK/CO/2, para. 9. See also CAT/C/TJK/CO/2, para. 10.
[100] See CCPR/C/TJK/CO/2, para. 9.
[101] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/28/68/Add.2, paras. 45 and 49.
[102] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 101 (b); and A/HRC/28/68/Add.2, para. 46.
[103] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 100; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
[104] See CAT/C/TJK/CO/2, para. 11. See also and A/HRC/28/68/Add.2, para. 30.
[105] See CAT/C/TJK/CO/2, para. 15. See also A/HRC/28/68/Add.2, paras. 38 and 55; and A/HRC/22/53/Add.1, para. 90.
[106] See CCPR/C/TJK/CO/2, para. 14. See also CAT/C/TJK/CO/2, paras. 11 and 13; and A/HRC/28/68/Add.2, para. 55.
[107] See A/HRC/22/53/Add.1, para. 91. See also CCPR/C/TJK/CO/2, para. 14; CAT/C/TJK/CO/2, para. 15; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
[108] See CAT/C/TJK/CO/2, para. 7.
[109] See A/HRC/28/68/Add.2, para. 9. See also A/HRC/22/53/Add.1, para. 99 (a).
[110] See A/HRC/28/68/Add.2, para. 42.
[111] See CAT/C/TJK/CO/2, para. 21.
[112] See country team submission to the review of Tajikistan, para.32; and CAT/C/TJK/CO/2, para. 20.
[113] See A/HRC/22/53/Add.1, para. 95; and A/HRC/28/68/Add.2, para. 28. See also CAT/C/TJK/CO/2, para. 20.
[114] See A/HRC/28/68/Add.2, para. 28. See also A/HRC/22/53/Add.1, para. 73; and CAT/C/TJK/CO/2, para. 20.
[115] See A/HRC/22/53/Add.1, para. 76. See also country team submission to the review of Tajikistan, para. 33; and CAT/C/TJK/CO/2, para. 20.
[116] See E/C.12/TJK/CO/2-3, para. 12. See also CMW/C/TJK/CO/1, para. 21.
[117] See CCPR/C/TJK/CO/2, para. 18. See also country team submission to the review of Tajikistan, para. 28.
[118] See A/HRC/28/68/Add.2, para. 44.
[119] See CEDAW/C/TJK/CO/4-5, para. 33.
[120] See country team submission to the review of Tajikistan, para. 16.
[121] See CEDAW/C/TJK/CO/4-5, para. 33.
[122] See E/C.12/TJK/CO/2-3, para. 26.
[123] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, paras. 45-46.
[124] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 45.
[125] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 49.
[126] See CCPR/C/TJK/CO/2, para. 21.
[127] See country team submission to the review of Tajikistan, para. 36.
[128] See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 36.
[129] See country team submission to the review of Tajikistan, para. 37.
[130] See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 38.
[131] See UNESCO submission to the review of Tajikistan, para. 36.
[132] See CCPR/C/TJK/CO/2, para. 22.
[133] See ibid., para. 23.
[134] See E/C.12/TJK/CO/2-3, para. 10. See also country team submission to the review of Tajikistan, para. 40; A/HRC/29/25/add.3; OHCHR 2014 Report, p. 31; and Press briefing notes on Tajikistan,

available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16288&LangID=E.

135 See A/HRC/29/50, p. 12.

136 See country team submission to the review of Tajikistan, para. 41.

137 See CCPR/C/TJK/CO/2, para. 23. See also country team submission to the review of Tajikistan, para. 40; and A/HRC/23/29/Add. 2, para. 393.

138 See CCPR/C/TJK/CO/2, para. 23. See also E/C.12/TJK/CO/2-3, para. 10; and A/HRC/23/29/Add. 2, para. 394.

139 See country team submission to the review of Tajikistan, para. 39.

140 See CCPR/C/TJK/CO/2, para. 24.

141 See country team submission to the review of Tajikistan, para. 42. See also Press briefing notes on Tajikistan, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16555&LangID=E.

142 See CCPR/C/TJK/CO/2, para. 25.

143 See CERD/C/TJK/CO/6-8, para. 12.

144 See CEDAW/C/TJK/CO/4-5, para. 22. See also CCPR/C/TJK/CO/2, para. 6; and E/C.12/TJK/CO/2-3, para. 16.

145 See E/C.12/TJK/CO/2-3, para. 17.

146 ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Maternity Protection Convention (Revised), 1952 (No. 103) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183849:NO. See also CEDAW/C/TJK/CO/4-5, para. 25.

147 See A/HRC/23/41/Add.2, paras. 5 and 48.

148 Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx

149 See E/C.12/TJK/CO/2-3, para. 21.

150 See ibid., para. 28. See also Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx.

151 End of mission statement by the United Nations Special Rapporteur on the human right to safe drinking water and sanitation, Tajikistan, 4-12 August 2015, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16313&LangID=E. See also E/C.12/TJK/CO/2-3, para. 28.

152 See ibid., para. 29.

153 See country team submission to the review of Tajikistan, para. 61.

154 See E/C.12/TJK/CO/2-3, para. 27. See also country team submission to the review of Tajikistan, para. 62.

155 See A/HRC/23/41/Add.2, para. 48. See also E/C.12/TJK/CO/2-3, para. 30; CEDAW/C/TJK/CO/4-5, para. 28; and country team submission to the review of Tajikistan, para. 60.

156 See A/HRC/23/41/Add.2, para. 49. See also E/C.12/TJK/CO/2-3, para. 30.

157 See country team submission to the review of Tajikistan, para. 59.

158 See E/C.12/TJK/CO/2-3, para. 31.

159 See CEDAW/C/TJK/CO/4-5, para. 28.

160 See E/C.12/TJK/CO/2-3, para. 32.

161 See country team submission to the review of Tajikistan, paras. 56–57.

162 See CEDAW/C/TJK/CO/4-5, para. 28. See also E/C.12/TJK/CO/2-3, para. 32; and country team submission to the review of Tajikistan, para. 20.

163 See A/HRC/23/41/Add.2, para. 25.

164 See ibid., para.50. See also E/C.12/TJK/CO/2-3, para. 32.

165 See A/HRC/23/41/Add.2, para.51.

166 See E/C.12/TJK/CO/2-3, para. 33.

167 See ibid., para. 35. See also UNESCO submission to the review of Tajikistan, paras. 21 and 22.

168 See E/C.12/TJK/CO/2-3, para. 34. See also CEDAW/C/TJK/CO/4-5, para. 23.

169 See E/C.12/TJK/CO/2-3, para. 14.

170 See ibid.

[171] See country team submission to the review of Tajikistan, para. 11. See also E/C.12/TJK/CO/2-3, para. 17.
[172] See ibid., para. 36.
[173] See ibid., para. 37. See also country team submission to the review of Tajikistan, para. 64.
[174] See CERD/C/TJK/CO/6-8, para. 18.
[175] See country team submission to the review of Tajikistan, para. 65.
[176] See CMW/C/TJK/CO/1, para. 6.
[177] See CMW/C/TJK/CO/1, para. 24. See also para. 32.
[178] See E/C.12/TJK/CO/2-3, para. 22.
[179] See CMW/C/TJK/CO/1, para. 44.
[180] UNHCR submission to the review of Tajikistan, p. 11.
[181] UNHCR submission to the review of Tajikistan, p. 10. See also CCPR/C/TJK/CO/2, para. 11.
[182] See CCPR/C/TJK/CO/2, para. 12. See also CAT/C/TJK/CO/2, para. 18; and A/HRC/28/68/Add.2, para. 40.
[183] See CCPR/C/TJK/CO/2, para. 12. See also CCPR/C/TJK/CO/2, para. 12; and CAT/C/TJK/CO/2, para. 18.
[184] See A/HRC/28/68/Add.2, para. 41.
[185] See CCPR/C/TJK/CO/2, para. 13. See also country team submission to the review of Tajikistan, para. 43; and CAT/C/TJK/CO/2, para. 18.
[186] See CERD/C/TJK/CO/6-8, para. 14.
[187] UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, p. 7, para. 50.
[188] See CCPR/C/TJK/CO/2, para. 11.
[189] See CERD/C/TJK/CO/6-8, para. 14. See also CCPR/C/TJK/CO/2, para. 11; E/C.12/TJK/CO/2-3, para. 15; and country team submission to the review of Tajikistan, para. 51.
[190] See CERD/C/TJK/CO/6-8, para. 14.
[191] UNHCR submission to the review of Tajikistan, p. 3. See also country team submission to the review of Tajikistan, para. 53.
[192] UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, para. 52.
[193] See E/C.12/TJK/CO/2-3, para. 11.

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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Tajikistan*

The present report is a summary of 18 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. It was recommended that Tajikistan ratify CRPD,[3] OP-CAT,[4] ICCPR-OP2[5] and the Conventions on statelessness.[6]

2. Joint Submission (JS) 5 recommended that Tajikistan make declarations to recognise the competence of CAT to receive and consider individual communications.[7]

2. Constitutional and legislative framework

n/a

3. Institutional and human rights infrastructure and policy measures

3. JS5 recommended ensuring the independent functioning of the Human Rights Ombudsman.[8]

4. JS3 recommended including representatives of independent non-governmental organisations (NGOs) as members of the Commission on the implementation of international human rights obligations of Tajikistan.[9]

5. JS3 noted that the 2013 action plan on torture lacked clear indicators to enable to measure its implementation. Local human rights organisations were not involved in drafting of the action plan.[10]

6. JS6 stated that the strategy on advancement of the role of women for 2011-2020 did not include indicators, hindering monitoring of its implementation. There was a lack of gender budgeting and of state funding to implement programs and action plans adopted in the framework of the strategy.[11]

B. Cooperation with human rights mechanisms

7. JS7/SRI (Sexual Rights Initiative) stated that certain organisations that worked to protect the rights of lesbian, gay, bisexual and transgender (LGBT) persons and of sex workers and the right to sexual and reproductive health were not invited to participate in discussions regarding the implementation of the recommendations put forward during the universal periodic review in 2011 (UPR). It concluded that Tajikistan failed to implement fully recommendation no. 88.9 on engagement of civil society in the process of follow up to the UPR.[12]

Cooperation with special procedures

8. JS5 recommended issuing a standing invitation to all special procedures mandate holders of the Human Rights Council.[13] International Service for Human Rights (ISHR) recommended strengthening cooperation with the United Nations, including in relation to individual cases, by responding promptly and substantively to allegation letters and urgent appeals by special procedures mandate holders.[14]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. JS5 noted the absence of a comprehensive anti-discrimination legislation. Domestic legislation did not include prohibition of discrimination on the grounds of disability, age and sexual orientation and a definition of direct and indirect discrimination.[15]

10. The Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR) stated that social, cultural and religious norms regarding the traditional roles and responsibilities of women and men in the family and in society persisted.[16] International Center for Advocates Against Discrimination (ICAAD) referred to structural discrimination against women.[17]

11. JS6 recommended that Tajikistan encourage sharing family responsibilities between women and men through the elimination of stereotypes and traditional attitudes that discriminate against women; eliminate structural inequalities and occupational segregation and adopt measures to narrow and close the gender pay gap.[18]

12. JS7/SRI noted existing widespread homophobia and transphobia, including in the media, and discrimination against LGBT persons in the workplace and by health professionals.[19] It referred to documented cases of violence against LGBT persons, including by law enforcement officers. The Police organised raids on meeting zones used by homosexual and bisexual men, and arrested and detained illegally several of them even though same sex behaviour was decriminalised in 1998.[20]

13. JS7/SRI indicated hate crimes and discrimination against sex workers. They were denied access to medical services, mistreated or verbally abused by medical specialists. Sex workers were often subject to violence by police and forced to go through HIV and STD testing, and other medical procedures during the police raids.[21]

14. JS7/SRI recommended that Tajikistan condemn violence and torture against LGBT persons and sex workers by law enforcement officers and abolish the "morality" raids against them.[22]

15. JS7/SRI recommended introducing comprehensive hate crime legislation that includes sexual orientation and gender identity as a bias, and implementing programs to prevent hate crimes, discrimination and violence.[23] It recommended combating hate speech in media, including hate speech against LGBT persons and sex workers.[24]

2. Right to life, liberty and security of the person

16. Noting a moratorium on death sentences and executions, JS2 reported that ICCPR-OP2 was not ratified despite the acceptance by Tajikistan of several UPR recommendations to ratify it. The death penalty was not abolished.[25]

17. Human Rights Watch (HRW) reported that torture and ill-treatment remained widespread. Police and investigators used torture to coerce confessions. It recalled that Tajikistan supported a recommendation of the UPR to eradicate the use of torture.[26]

18. Noting the UPR recommendations concerning definition of torture,[27] JS3 reported that Tajikistan introduced a definition of torture into the Criminal Code that was in line with CAT. However, sanctions often used for such crimes were not commensurate with the severity of the crime.[28]

19. HRW recommended that Tajikistan publicly acknowledge the scope and gravity of the problem of torture, and implement the recommendations put forward by the Special Rapporteur on torture based on his visits to the country in 2012 and 2014.[29]

20. JS4 referred to human rights violations committed by representatives of military commissariats against conscripts, including arbitrary arrests and inhuman treatment. It stated that military representatives used various methods to bring conscripts to the military commissariats including beating and blackmailing. After the President issued an order to eliminate all forms of illegal conscriptions, the number of cases of arbitrary arrests and forcible deployment of conscripts decreased.[30]

21. JS3 referred to documented cases of torture and ill-treatment, including hazing, in the armed forces. Hazing of new recruits by fellow soldiers was routine in the army.[31] JS4 stated that Tajikistan failed to ensure thorough investigation of cases of inhuman treatment of military personnel and provide adequate compensation to victims.[32] JS5 made similar observations.[33]

22. HRW stated that a law on domestic violence was adopted in 2013 as requested by several UPR recommendations. However, the law reportedly remained unimplemented and victims of domestic violence continued to receive inadequate protection.[34] ISHR stated that violence against women remained a serious issue.[35] JS7/SRI stated that not a single case of domestic violence was officially registered since 2013. Victims of domestic violence did not always report the violence out of fear of persecution and inadequate response by the police and the judiciary.[36] JS6 stated that domestic violence was not criminalised, but remained an administrative offence.[37]

23. JS6 stated that the 2013 law established conditions for issuing protection orders for victims of domestic violence, but did not provide the necessary procedures.[38] JS7/SRI stated that there were very few shelters for victims of domestic violence.[39]

24. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that Tajikistan supported several UPR recommendations to prohibit all corporal punishment of children.[40] The law on education explicitly prohibited corporal punishment in schools and in preschool education. However, the law on domestic violence did not include clear prohibition of corporal punishment in the home. There was no explicit prohibition of corporal punishment in all alternative care settings and penal institutions. It was recommended that Tajikistan prohibit all corporal punishment of children in all settings.[41]

25. JS6 stated that child labour was used widely in various spheres. It recommended fighting worst forms of child labour and abolishing this practice, including in cotton fields.[42]

3. Administration of justice, including impunity, and the rule of law

26. JS5 stated that the judiciary was not independent. Judges were appointed and dismissed by the decision of the President based on suggestions of the Council of Justice - a body of the executive brunch.[43] ISHR recommended ensuring the independence of the judicial system.[44] Lawyers for Lawyers (L4L) recommended that Tajikistan continue to implement the UPR recommendations no. 88.44 and 88.45[45] in order to ensure the proper functioning of the judicial system.[46]

27. JS4 recommended prohibiting military courts from exercising jurisdiction over civilians.[47]

28. L4L noted that the prosecution played a dominant role in criminal proceedings.[48] JS5 recommended bringing authorities of the Prosecutor's office in compliance with international standards to ensure equality of arms in court proceedings. The Prosecutor's office should be deprived of authority to suspend execution of pronounced sentences.[49]

29. International Bar Association's Human Rights Institute (IBAHRI) stated that a new law on advocacy and the Bar, which came into force in 2015, established a single unified bar association with mandatory membership for all lawyers to replace existing bar associations.[50] L4L welcomed the efforts of the Government to establish a national bar association. However, the law established a qualification commission under the Ministry of Justice, with a responsibility of conferring and withdrawing a lawyer's status. L4L was concerned that lawyers currently working on controversial cases might be at risk of not having their lawyers' status reinstated due to executive interference.[51] IBAHRI expressed similar concerns.[52]

30. L4L stated that lawyers encountered difficulties in carrying out their profession independently.[53] JS3 reported that police investigators often denied access of lawyers to their clients for days and that they often saw their clients for the first time at the remand hearing or even later.[54] L4L referred to information indicating that lawyers working on high profile cases were regularly subjected to threats or physical attacks, intimidation and improper interference by prosecutors or members of law enforcement agencies.[55]

31. JS3 recommended ensuring that lawyers have unhindered access to their clients at all stages of detention and in all detention facilities.[56] L4L recommended that Tajikistan prevent that lawyers are threatened, intimidated, harassed or subjected to improper interference while exercising their professional duties and ensure that crimes, harassment and other violations against lawyers are effectively investigated, publicly condemned and perpetrators of such acts are prosecuted.[57] It recommended amending the law on advocacy to ensure that the qualification commission is no longer placed under the Ministry of Justice and that the new qualification exam is not retrospective, forcing all current practising lawyers to re-qualify.[58]

32. IBAHRI stated that the provision of free legal aid was underdeveloped. Legislation provided for the provision of free legal aid in certain circumstances. However, there was no state budget for the provision of legal aid. The Government owed large sums to lawyers in respect of work completed.[59]

33. JS3 stated that domestic legislation provided detainees with legal safeguards, but it was ambiguous as to when a person was considered a detainee. In practice, it was often drawn up several hours, sometimes even days after the de facto apprehension. Although Tajikistan supported a recommendation of the UPR[60] to include the identity of the apprehending officers in the detention record, the Criminal Procedure Code was not amended accordingly.[61]

34. JS3 stated that the Criminal Procedure Code stipulated that remand hearings should take place within 72 hours after a person was taken into custody. In practice, detainees were often brought before a judge later than the 72-hour limit.[62] It recommended amending the Criminal Procedure Code to ensure that remand hearings take place no longer than 48 hours after apprehension.[63]

35. JS5 noted a lack of a mechanism for public oversight over places where people were deprived of their liberty.[64] JS3 noted that a monitoring group was established within the Office of Ombudsman in 2014 and it consisted of the staff of the Office and civil society representatives. There were concerns about their ability to conduct unlimited and unannounced monitoring. The administration of the detention facilities appeared to have been informed of visits of the monitoring group in advance, although, since early 2015, no advance notification was required. When the monitoring group received allegations of torture, the administration of a detention facility admitted the staff of the Ombudsman, but denied access to its members from civil society.[65]

36. JS3 recommended establishing an effective national preventive mechanism and granting unimpeded access to the ICRC and independent NGOs to all places of detention, conscription commissions and to military units.[66]

37. JS3 stated that official investigations into allegations of torture were opened only in a small number of cases, and in many cases only disciplinary proceedings were imposed. Many victims of torture did not file complaints because of a fear of reprisals.[67] Noting two recommendations of the UPR to establish an independent compliant mechanism,[68] JS3 reported on the statement of the Prosecutor's Office that no such mechanism was needed considering an insignificant number of complaints.[69]

38. HRW recommended ensuring that prompt, thorough and impartial investigations are carried out into all allegations of torture and ill-treatment and all deaths in custody.[70] JS3 recommended establishing an independent body endowed with sufficient authority and competence to conduct independent investigations into allegations of torture and ill-treatment.[71]

39. JS3 recommended ensuring that any statement or confession elicited as a result of torture or ill-treatment is not used as evidence in any proceedings except those brought against the alleged perpetrators. It recommended that Tajikistan oblige judges at remand hearings to inquire into a detainee's treatment in custody and to order an effective investigation if the detainee complains about torture or ill-treatment or if there is any other indication that he or she may have been subjected to such treatment.[72]

40. JS3 stated that domestic legislation did not exclude perpetrators of torture or ill-treatment from benefitting from amnesties for prisoners. It was concerned that the legislation contained a statute of limitations applicable to the crimes of torture and ill-treatment.[73] JS3 recommended legislating that perpetrators of torture or ill-treatment are excluded from amnesties for prisoners and abolishing the statute of limitations with regard to torture and ill-treatment.[74]

41. JS5 noted the lack of legislation on rehabilitation of victims of torture and stated that victims of torture often did not receive fair and adequate compensation.[75] JS3 recommended ensuring the right of victims to redress in the legislation, including fair and adequate compensation and rehabilitation for damages caused by torture regardless of whether the perpetrators of such acts were brought to justice.[76]

42. JS5 stated that the national action plan on reform of juvenile justice for 2010-2015 had several drawbacks and that mid-term reports on the implementation of the Plan were not published. Tajikistan reintroduced the use of solitary confinement as a disciplinary measure for juveniles. Juveniles were kept with adults in temporary or pre-trial detention centres located outside of Dushanbe. No specific actions were taken to establish child-friendly procedures for criminal cases involving a child victim or a child witness. The legislation did not provide a requirement for the mandatory participation of a lawyer and a psychologist in cases where children were victims or witnesses of crimes.[77]

4. Right to privacy, marriage and family life

43. JS7/SRI recommended introducing and implementing clear procedures of changing names and gender markers for transgender individuals, who want to change their passport information and other identity documents according to their gender identity.[78]

44. JS7/SRI stated that the minimum marriage age was 18 years. Many parents required their daughters to drop out of schools and forced them to get married. Such couples could not register officially the marriage as a spouse was below the age of 18, so many of them turned to local religious leaders (mullahs), who held the wedding ceremony without official registration. The Government required the mullahs not to perform a religious wedding

ceremony for couples who did not have a civil marriage certificate. However, this decision was not implemented fully and early marriages without official registration had been taking place.[79]

45. JS6 stated that the system of foster care or guardianship did not function. Children who were deprived of parental care and were temporarily placed in orphanages or boarding schools stayed in those places for years and became so-called social orphans.[80]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

46. HRW stated that the authorities maintained tight restrictions on religious freedoms, including on religious education and worship.[81] JS2 stated that the law on religious freedom banned the activities of unregistered religious organizations and imposed serious restrictions on places of worship, religious literature, religious education and other religious activities.[82] Forum 18[83], Jubilee Campaign (JC)[84], ICAAD[85] and the Alliance Defending Freedom International (ADF International)[86] made similar observations. European Association of Jehovah's Christian Witnesses (EAJCW) concluded that Tajikistan did not implement a recommendation of the UPR to guarantee freedom of religion and worship.[87]

47. JS2 stated that the production, import and distribution of religious materials required permission of the State Committee on Religious Affairs. Materials deemed inappropriate was confiscated.[88] JC stated that the 2011 amendments to the Law on religion restricted persons from traveling abroad to acquire religious education unless the person obtained their first religious education by a state-authorized institution in the country. There were no such institutions, providing Christian teaching and thus, Christians had no possibility to attain theological education neither at home nor abroad.[89]

48. HRW stated that under the pretext of combating extremism, Tajikistan continued to ban several Muslim groups. Some Christian minority denominations, such as Jehovah's Witnesses were similarly banned.[90] EAJCW highlighted the repeated denial by the authorities of the applications of Jehovah's Witnesses to re-register.[91] They were denied the right to conduct religious meetings and produce religious literature and their members were exposed to arrest, detention, beating and deportation for alleged illegal religious activities.[92]

49. JS2 stated that the Hanafi school of Islam had been promoted, to the detriment of other schools of Islam.[93] Forum 18 noted limitations on the numbers of mosques allowed per head of population and stated that non-permitted mosques were demolished.[94] HRW stated that the Government suppressed unregistered Muslim education, brought administrative charges against religious instructors, and controlled the content of sermons.[95] Forum 18 noted a ban on Islamic preaching in all but the largest mosques.[96] HRW noted restrictions on religious dress and that headscarves were banned in educational institutions. Beards were prohibited in public buildings.[97] JS2 and Forum 18 reported on cases where law enforcement officials forcibly shaved bearded Muslim men.[98]

50. HRW stated that a law on parental responsibility stipulated that parents must prevent their children from participating in religious activities, except for state-sanctioned religious education, until they turn 18.[99] JC[100], ICAAD[101], ADF International[102] and Forum 18[103] made similar observations. ADF International concluded that the law violated article 18 of ICCPR and article 14 of CRC.[104]

51. HRW recommended amending the restrictive laws concerning religious freedoms, to bring them into conformity with international and OSCE commitments.[105] JS2[106] JC,[107] ICAAD[108] and ADF International[109] made similar recommendations.

52. JS4 stated that the legislation stipulated that everyone had a right to alternative service. However, the absence of a special law on alternative service made the enjoyment of this right impossible.[110]

53. JS1 stated that Tajikistan supported six recommendations of the UPR related to freedom of expression and undertook some positive legal reforms. However, in practice the situation regarding freedom of expression was not improved.[111] HRW stated that the authorities attempted to restrict media freedoms and access to independent information.[112]

54. JS1 welcomed the passage of a law on mass media in 2012, which contained several positive aspects, including a liability for the violation of media freedom and a prohibition on censorship and political persecution of critical opinions. However, journalists remained subject to legal harassment, with criminal and civil charges frequently brought against critical voices.[113]

55. HRW reported that Tajikistan retained criminal sanctions for insulting the President or any government officials despite the 2012 legal amendments removing libel as an offense from the criminal code.[114] JS1 and HRW recalled that Tajikistan supported recommendations of the UPR to decriminalize defamation and insult.[115]

56. JS1 stated that civil defamation lawsuits were frequently brought against critical journalists, and courts issued disproportionate sanctions against them, with the intention of silencing journalists.[116] It explained that civil defamation provisions of the Civil Code did not conform to international standards on freedom of expression. Those provisions provided for excessive financial compensation for defamatory statements and did not provide for adequate defences against defamation claims, nor did differentiate statements of fact from statements of opinion, whereas under international law statements of opinion were accorded significant protection.[117]

57. JS1 stated that the implementation of the law on access to information was poor, and that the Government increasingly sought to control access to information.[118] JS2 stated that a new regulation, which was introduced in 2015, required government agencies to send their communications and press releases to the Khovar state information agency, while other media outlets could only report on official events citing this agency. Media representatives were concerned that the regulation would be used to deprive them of the opportunity to obtain first-hand information about official events.[119]

58. JS5 stated that access to information was hindered by the ongoing practice of extrajudicial blocking of web-sites of independent mass media and social networks.[120] HRW stated that under the pretext of protecting national security, the telecommunication agency had regularly ordered the blocking of websites.[121] JS1 reported on several incidents of mass blocking of access to internet resources and websites without court decisions in order to suppress political and social activism.[122] It stated that Tajikistan introduced legal amendments in 2014, enabling the government to block mobile services and access to the Internet without a court order, following the announcement of a state of emergency.[123]

59. HRW recommended that Tajikistan rescind undue restrictions on the media, including the 2015 rule barring media from reporting news about government actions and policies without citing reports by the official state news agency *Khovar*, respect freedom of information and tolerate all forms of legitimate speech.[124] JS2 recommended that Tajikistan put an end to the practice of arbitrary blocking of access to websites and mobile phone services and ensure that residents have unhindered access to information.[125]

60. JS1 recommended repealing the remaining defamation and insult provisions from the Criminal Code[126] and amending the Civil Code to ensure inter alia that no one should be liable for the expression of an opinion in relation to statements on matters of public concern.[127]

61. JS1 recommended that Tajikistan reform the law on TV and radio broadcasting, to bring it in line with international standards on freedom of expression, including by establishing an independent regulatory body and ensuring respect for freedom of editorial policy.[128]

62. JS1 recommended releasing all journalists who were arbitrarily detained.[129] JS2 recommended that Tajikistan condemn intimidation and harassment of media and journalists and ensure that any such incidents are thoroughly and impartially investigated and the perpetrators brought to justice.[130]

63. JS2 reported that Tajikistan has limited freedom of association and exerted pressure on human rights defenders.[131] JS3 expressed concern at the increasing pressure faced by NGOs.[132] ISHR reported that human rights defenders continued to be harassed and threatened by the Government.[133]

64. JS2 stated that the situation of civil society, in particular that of NGOs working on human rights and on other sensitive issues had seriously worsened in 2015. Since the 2011 UPR, numerous NGOs experienced inspections of their activities by the Tax Committee and security agencies, in some cases resulting in warnings and sanctions. The trend had intensified in 2015. The environment for HRDs deteriorated and activists, lawyers and journalists were under pressure from the Government to drop or refrain from addressing specific politically sensitive issues.[134]

65. JS5 reported on the 2015 amendments to the law on public associations requiring registration of funding from foreign sources and grants of NGOs with the Ministry of Justice.[135] JS2 referred to concerns expressed that the amendments placed an unnecessary administrative burden on NGOs and that they might be used to obstruct the access to funding of NGOs.[136]

66. ISHR recommended amending the law on public association to ensure its compatibility with international human rights laws, with active participation of civil society.[137] HRW recommended that Tajikistan support the development of a strong, vibrant, and independent civil society by allowing the unimpeded operation of independent human rights and other civil society groups.[138]

67. JS1 stated that during the 2011 UPR, Tajikistan supported one recommendation regarding the right to peaceful assembly.[139] However, protests remained rare and the Government continued to present any form of protest as a security threat. The 2014 law on public assemblies placed significant restrictions on the right to freedom of peaceful assembly. It replicated problematic requirements in the previous law, stipulating that organisers must obtain permission 15 days prior to organising a mass gathering and limited the time and place where gatherings might take place, turning many areas into no-protest zones and banning protest at night. The law prohibited foreign citizens, stateless persons and persons who had a record of administrative violations from organising mass events or gatherings. [140] JS5 recommended that Tajikistan bring the law on public assemblies in compliance with international standards on the right to peaceful assembly.[141]

68. HRW stated that the authorities widened a crackdown on the political opposition.[142] ISHR reported that political opponents were subject to intimidation and threats.[143] OSCE/ODIHR noted that the opposition Islamic Revival Party of Tajikistan (IRPT) faced particular pressure.[144] HRW reported that the opposition party was shut out of parliament in 2015 and the leader of the party went into exile, fearing prosecution on bogus charges. The Ministry of Justice ordered the closure of the party.[145] OSCE/ODIHR reported that thirteen party members were arrested in September, 2015 and that the General Prosecutor officially implicated the chairman of the party in the armed clashes on 4 September. The chairman denied those accusations.[146]

69. JS2 recommended ensuring that political parties can operate without hindrance or harassment.[147] ISHR recommended releasing all arbitrary detained political opposition figures.[148]

70. OSCE/ODIHR stated that the participation of women in political and public life remained low despite the adoption of a national strategy to promote the role of women. Tajikistan did not adopt temporary special measures and incentives for political parties to nominate women as candidates.[149]

71. OSCE/ODIHR concluded that the 2015 parliamentary elections took place in a restricted political space. Restrictions on the right to stand, freedoms of expression and assembly, and access to media limited the opportunity to make a free and informed choice.[150] It noted that the restrictive candidate registration requirements resulted in a lack of genuine choice and meaningful pluralism during the 2013 presidential election.[151] In 2013 and 2015, reports of OSCE/ODIHR offered several recommendations to bring elections fully in line with OSCE commitments and international standards for democratic elections.[152]

6. Right to social security and to an adequate standard of living

72. JS6 stated that more than half of the population did not have an access to drinking water and that water from unsafe sources had been used for drinking and for household needs.[153]

73. JS6 recommended developing a social housing policy for the most vulnerable groups of population, increasing state allocations for construction of subsidised housing, and ensuring access to information on urban construction plans and encouraging public participation in the development of such plans.[154]

74. HRW recommended that Tajikistan uphold the social and economic rights of all persons resettled as a result of or otherwise affected by the Rogun Dam and Hydropower Plant, and provide adequate compensation to resettles, ensuring access to adequate drinking water, proper sanitation, educational, medical, and employment opportunities in areas of resettlement.[155]

7. Right to health

75. JS6 stated that mandatory health insurance covered from the state budget for a specific group of people did not function.[156]

76. JS7/SRI stated that Tajikistan had a number of policies and programs concerning the right to sexual and reproductive health, however they were limited and inefficient. The programs were often not implemented due to several reasons, including financial constraints.[157] It recommended improving the quality of the secondary school programme on sexuality education and introducing a similar programme for younger pupils in compliance with guidance of UNESCO and UNFPA on sexuality education.[158] JS7/SRI recommended empowering and educating youth and adolescents about their rights to sexual and reproductive health and increasing their access to sexual and reproductive health services.[159]

77. JS6 stated that funding of mental health was not sufficient and that the draft strategy and policy on mental health for 2012-2015 was not yet adopted.[160]

8. Right to education

78. JS6 noted a shortage of teachers, a lack of access to preschool educational institutions, and high dropout rates among girls. It recommended inter alia increasing

access to and quality of education, especially in rural areas and developing programs to ensure access of children to preschool education.[161]

9. Persons with disabilities

79. JS6 recommended adopting new criteria of defining disability that are in accordance with international standards.[162]

80. JS6 stated that the 2013 law on education included definition of inclusive education and provided guarantees for access to education of children with disabilities in public schools. However, schools with inclusive education had been mainly located in big cities, and that inclusive education in the regions remained problematic. The lack of teaching materials and programs for inclusive education had an impact on the quality of inclusive education. Teachers did not have adequate knowledge to work with children with special needs. Education of children with physical and mental disabilities took place in special educational institutions and thus, resulted in institutionalisation of children with disabilities.[163]

81. JS6 stated that legal provisions on employment quotas for persons with disabilities had not been enforced owing to a lack of implementation mechanisms and thus, the number of persons with disabilities who were employed through the quote system remained low. JS6 noted recent cases of dismissal of persons with disabilities.[164]

82. JS6 noted that access to public infrastructure of persons with disabilities was limited and that public buildings and transportation were generally not adapted to the needs of persons with disabilities.[165]

10. Minorities

83. OSCE/ODIHR stated that the Constitution did not make any direct reference to national minorities, but enshrined principles of non-discrimination and equality of rights. The Constitution established Tajik as the state language and Russian as a language of communication between nationalities.[166]

84. JS6 recommended establishing a unit in the Ministry of Education to develop teaching materials for schools with the language of instruction in Russian, Uzbek, Kyrgyz and Turkmen as well as adopt a long term plan to publish textbooks and teaching materials for those schools.[167]

11. Migrants, refugees and asylum seekers

85. JS6 stated that the strategy on labor migration of Tajik citizens abroad for 2011-2015 established a mechanism for reintegration of returned migrants in the economy. However, several centers on reintegration that were established in 2012 did not function owing to a lack of funding and qualified staff. It concluded that measures for reintegration and employment of returned migrants were inadequate.[168]

86. JS6 stated that a government decree restricted the right of refugees to reside in many areas of the country, including in Dushanbe and Khudjand. It recommended repealing the decree.[169]

87. JS6 stated that legislation guaranteed the right of refugees to receive financial and other type of assistance. However, mechanisms to provide such assistance were not developed.[170]

88. JS6 recommended developing a procedure for documenting stateless persons and using simplified procedures to review requests of these persons to receive permanent residence.[171]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org

Civil society

Individual submissions:

ADF International	Alliance Defending Freedom International, Geneva (Switzerland)
EAJCW	European Association of Jehovah's Christian Witnesses, Kraainem (Belgium);
Forum 18	Forum 18 News Service, Oslo (Norway);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);
HRW	Human Rights Watch, New York (United States of America);
ICAAD	International Center for Advocates Against Discrimination, New York (United States of America);
IBAHRI	International Bar Association's Human Rights Institute, London (United Kingdom);
ISHR	International Service For Human Rights, (Geneva) Switzerland;
JC	Jubilee Campaign, Fairfax (United States of America);
L4L	Lawyers for Lawyers, Amsterdam, (The Netherlands);

Joint submissions:

JS1	Joint submission 1 submitted by: Article 19, English Pen and Pen International, London (United Kingdom of Great Britain and the Northern Ireland);
JS2	Joint submission 2 submitted by: Nota Bene, Dushanbe (Tajikistan) and International Partnership for Human Rights, Brussels (Belgium);
JS3	Joint submission 3 submitted by: Coalition against Torture in Tajikistan (12 NGOs and 5 independent experts (Tajikistan) and International Partnership for Human Rights (Belgium). The content of the submission is supported by Helsinki Foundation for Human Rights (Poland) and the Norwegian Helsinki Committee (Norway) and the World Organisation against Torture (Switzerland);
JS4	Joint submission 4 submitted by: Human Rights Matter (Germany), Office for Civil Freedoms (Tajikistan), Saint Petersburg Regional Human Rights Organisation 'Soldiers Mothers of Saint Peterburg' (Russian Federation), Human Rights Group 'Citizen. Army. Law' (Russian Federation);
JS5	Joint submission 5 submitted by: Public Association "Bureau on Human Rights and Rule of Law", Office of Civil Freedoms, Public Fund "Legal Initiative", Public Association "Rights and Prosperity", National Association of Independent Mass Media in Tajikistan, Public Association "Human Rights Centre" (Tajikistan), with the support of the International Federation for Human Rights (FIDH);
JS6	Joint submission 6 submitted by: Public Association "Bureau on Human Rights and Rule of Law", League of women with disabilities "Ishtirok", Independent Center of the Protection of Human Rights , Society of persons with disabilities "Imkoniyat", Coalition of public associations "From legal equality to actual equality", Public Fund "Your choice", Association of parents of children with disabilities, Public Fund "Public health and human rights", Public Association "Rights and Prosperity", Union of Consumers, Tajik Alliance of Family Planning, Public Association "Human Rights Center" (Tajikistan) with the support of FIDH
JS7/SRI	Joint submission 7 submitted by: the following partners of Sexual Rights Initiative- Action Canada for Sexual Health Rights (Canada), Egyptian Initiative for Personal Rights (Egypt), The Federation of

	Women for Family Planning (Poland), Coalition of African Lesbians (South Africa) and Akahatá (Argentina).
Regional intergovernmental organization:	
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Warsaw, Poland Attachments: (OSCE/ODIHR: report 2015) Election Observation Mission Final Report, Parliamentary Elections on , 1 March 2015, Warsaw, 15 May, 2015; (OSCE/ODIHR: report 2013) Election Observation Mission Final Report, Presidential Elections 6 November, 2013, Warsaw, February, 2014.

[2] The following abbreviations are used in UPR documents:

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities

[3] JS6, para. 64.
[4] JS3, p. 9.
[5] JS2, p. 5. See also JS5, para. 38.
[6] JS6, para. 109.
[7] JS5, para. 49.
[8] JS5, para. 10, p. 2.
[9] JS3, p. 10.
[10] JS3, pp. 2-3.
[11] JS6, para. 2.
[12] JS7/SRI, para. 5. For the full text of the recommendation see A/HRC/19/3, para. 88.9 (Poland).
[13] JS5, para. 7, p. 2.
[14] ISHR, p. 3.
[15] JS5, p.3, para. 11. See also JS6, para. 72 and JS7/SRI, para. 35.
[16] OSCE/ODIHR, p. 5.
[17] ICAAD, p. 1.
[18] JS6, para. 20.
[19] JS7/SRI, paras. 9 and 13.
[20] JS7/SRI, paras. 10-11. See also ISHR, p. 2.
[21] JS7/SRI, paras. 16, 17 and 18.
[22] JS7/SRI, paras. 40- 41.
[23] JS7/SRI, paras. 34 and 36.
[24] JS7/SRI, para. 45.
[25] JS2, p. 5.
[26] HRW, p. 4. See also JS3, p. 3, JS5, para. 39 and ISHR, p. 1. For the full text of the recommendation, see A/HRC/19/3, para. 88. 28 (United Kingdom of Great Britain and Northern Ireland).
[27] For the full texts of the recommendations, see A/HRC/19/3, paras. 88. 23 (Czech Republic and Australia) and 88.24 (Canada).
[28] JS3, pp. 2 and 7. See also JS5, para. 42.
[29] HRW, p. 5.
[30] JS4, p.1.
[31] JS3, p. 3.
[32] JS4, p. 5.
[33] JS5, paras. 40 and 41.
[34] HRW, p. 5.

[35] ISHR, p. 2. JS6, para. 7 and ICAAD, pp. 1-2.
[36] JS7/SRI, paras. 20-21. See also ICAAD, p. 3.
[37] JS6, para. 9.
[38] JS6, para. 8.
[39] JS7/SRI, para. 20.
[40] For the full text of the recommendations see A/HRC/19/3, paras. 89.3 (Brazil and Romania), 89.4 (Uruguay) and 90.28 (Slovenia).
[41] GIEACPC, paras. 1.1, 1.3 and 2.1-2.7.
[42] JS6, paras. 24 and 28.
[43] JS5, para. 14.
[44] ISHR, p. 3.
[45] For the full text of the recommendations see A/HRC/19/3, paras. 88.44 (Sweden) and 88.45 (Mexico).
[46] L4L, p. 5.
[47] JS4, p. 6.
[48] L4L, para. 12.
[49] JS5, para. 21.
[50] IBAHRI, para. 1.1.
[51] L4L, paras. 14, 17, 18 and 19.
[52] IBAHRI, paras. 1.7, 1.8 and 1.10.
[53] L4L, para. 9.
[54] JS3, p. 5. See also L4L, para. 12.
[55] L4L, para. 10. See also IBAHRI, p. 1.9.
[56] JS3, p. 9.
[57] L4L, para. 13.
[58] L4L, p. 5. See also IBAHRI, p. 4.
[59] IBAHRI, para. 2.1.
[60] For the full text of the recommendation, see A/HRC/19/3, para. 90. 30 (Czech Republic).
[61] JS3, p. 4.
[62] JS3, p. 6. See also JS5, para. 18.
[63] JS3, p. 9.
[64] JS5, para. 50.
[65] JS3, pp. 3-6. See also JS5, para. 50.
[66] JS3, p. 9. See also JS5, paras. 54 and 55.
[67] JS3, p. 3.
[68] For the full text of the recommendation, see A/HRC/19/3, paras. 88. 49 (Poland) and 88.24 (Canada).
[69] JS3, p. 7.
[70] HRW, p. 5.
[71] JS3, p. 9. See also JS5, para. 46.
[72] JS3, p. 9.
[73] JS3, p. 8.
[74] JS3, p. 10.
[75] JS5, paras. 42 and 43.
[76] JS3, p. 10. See also JS5, paras. 47 and 48.
[77] JS5, paras. 25, 26, 27 and 30.
[78] JS7/SRI, para. 44.
[79] JS7/SRI, paras. 23-24.
[80] JS6, paras. 21 and 22.
[81] HRW, p. 5. See also Forum 18, p. 1, JS2, p. 4, JC, para. 1 and ADF International, para. 4.
[82] JS2, p. 4.
[83] Forum 18, para. 8.
[84] JC, pp. 1-2.
[85] ICAAD, p. 4.
[86] ADF International, paras. 6, 7, 8 and 9.
[87] EAJCW, para. 24. For the full text of the recommendation, see A7HRC/19/3, para. 88.53 (Uruguay).
[88] JS2, p. 4. See also JC, para. 8, Forum 18, para. 22 and ADF International, para. 11.
[89] JC, para. 4. See also ADF International, para. 12.

[90] HRW, p. 5. See also Forum 18, paras. 9 -19, ICAAD, p. 4, para. (3), JC, para. 2, ADF International, paras. 15-22 and JC, para. 12.
[91] EAJCW, paras. 5 and 14.
[92] EAJCW, paras 5, 10, 12 and 14. See also ICAAD, p. 4, para. (3).
[93] JS2, p. 4.See also JC, para. 3.
[94] Forum 18, para. 12.
[95] HRW, p. 5. See also Forum 18, p. 1.
[96] Forum 18, para. 12.
[97] HRW, p. 5. See also Forum 18, paras. 6-7.
[98] JS2, p. 4 and Forum 18, para. 7.
[99] HRW, p. 5.
[100] JC, para. 9.
[101] ICAAD, p. 4.
[102] ADF International, para. 14.
[103] Forum 18, para. 20.
[104] ADF International, paras. 2 8 and 29.
[105] HRW, p. 5.
[106] JS2, p. 4.
[107] JC, p. 3; Summary of Recommendations.
[108] ICAAD, p. 4.
[109] ADF International, para. 31.
[110] JS4, p. 2.
[111] JS1, paras. 2, 3 and 4.
[112] HRW, p. 2. See also JS2, p. 1 and ISHR, p. 1.
[113] JS1, para. 6. See also paras. 3, 7 and 8.
[114] HRW, p. 2. See also JS2, p. 1, JS1, para. 9, JS5, para. 67, and ISHR, p. 1.
[115] JS1, para. 9 and HRW, p. 2.
[116] JS1, para. 17. See also para. 11 and JS2, p. 1 and JS5, para. 68.
[117] JS1, paras. 12, 15 and 16.
[118] JS1, para. 19.
[119] JS2, p. 1. See also HRW, p. 3, JS1, para. 22 and JS5, para. 70.
[120] JS5, para. 71.
[121] HRW, p. 3.
[122] JS1, para. 21. See also ISHR, p. 1.
[123] JS1, para. 20. See also JS2, pp. 1-2, JS5, para. 72 and ISHR, p. 1.
[124] HRW, p. 3. See also JS5, paras. 75, 76 and 78 and JS1, p. 7.
[125] JS2, para. 2.
[126] JS1, para. 35 (II). See also HRW, p. 3, ISHR, p. 3, JS2, p. 2. and JS5, para. 74.
[127] JS1, para. 35 (III). See also JS5, para. 77.
[128] JS1, para. 35 (VII).
[129] JS1, para 35 (I).
[130] JS2, para. 2.
[131] JS2, p. 2.
[132] JS3, p. 8.
[133] ISHR, p. 1.
[134] JS2, pp. 2-3. See also ISHR, p. 1; JS3, p. 8; JS5, para. 87 and HRW, p. 3.
[135] JS5, para. 86.
[136] JS2, p. 2. See also ISHR, p. 2, HRW, p. 3 and JS3, p. 8.
[137] ISHR, p. 2. See also JS2, p. 4 and JS5, paras. 90 and 92.
[138] HRW, p. 4. See also JS3, p. 10.
[139] For the full text of the recommendation, see A/HRC/19/3, para. .
[140] JS1, paras. 29-34. See also JS2, p. 3, JS5, para. 93 and ISHR, p.2.
[141] JS5, para. 94. See also JS1, para. 35 (VIII) and JS2, p. 3.
[142] HRW, p. 1. See also JS2, p. 3.
[143] ISHR, p. 2. See Forum 18.
[144] OSCE/ODIHR, p. 4.

[145] HRW, p. 2.
[146] OSCE/ODIHR, p. 4. See also JS2, p. 3 and Forum 18, para. 3.
[147] JS2, p. 4.
[148] ISHR, p. 2. See also HRW, p. 2.
[149] OSCE/ODIHR, p. 4.
[150] OSCE/ODIHR, p. 1. OSCE/ODIHR: report of 2015, Executive Summary.
[151] OSCE/ODIHR, p. 3. OSCE/ODIHR: report of 2013, Executive Summary.
[152] OSCE/ODIHR: report of 2013, pp. 3 and 23-26 and OSCE/ODIHR:report of 2015, pp. 25-29.
[153] JS6, para. 33.
[154] JS6, paras. 34-35. See also para. 29.
[155] HRW, p. 4.
[156] JS6, paras. 39 and 44.
[157] JS7/SRI, para. 6.
[158] JS7/SRI, paras. 29-30.
[159] JS7/SRI, para. 28.
[160] JS6, paras. 40-41.
[161] JS6, paras. 50, 51, 53 and 54.
[162] JS6, para. 67.
[163] JS6, paras. 61-62.
[164] JS6, paras. 63 and 58.
[165] JS6, para. 59.
[166] OSCE/ODIHR:report of 2015, p. 19.
[167] JS6, paras. 56-57.
[168] JS6, para. 81.
[169] JS6, para. 95 and 97.
[170] JS6, para. 94.
[171] JS6, para. 106.